THE HISTORY Of the Last PARLIAMENT.

Began at

WESTMINSTER,

The Tenth Day of *February*, in the Twelfth Year of the Reign of King *William*, *An. Dom.* 1700.

To which is added,

The Short Defence of the last Parliament, *&c.*

By the same Author.

The Second Edition.

——. —— *Hinc spargere voces.*
In vulgum ambiguas, & quærere conscius arma.
Virg.

LONDON,
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MDCCII.

FH
MVSEVM
BRITANNICVM

TO

Anthony Hammond, Eſq;

SIR,

AN Honeſt Zeal for the welfare of the Publick, and a juſt indignation to ſee the laſt Houſe of Commons ſo unworthily treated, mov'd me to write this Hiſtory, and the general acceptance it has met with from all honeſt Gentlemen, gave me reſolution to Inſcribe it to you. A Friendſhip ſo largely begun, and ſo long continued as ours, might have claim'd a more timely Addreſs. But I preſum'd not ſo far upon my own performance as to grace it with a Friends name, till

the ſucceſs did in a manner warrant my Confidence. However, I am not yet ſo vain, as not to diſcern, that the kind reception it hath met with, is owing more to the honeſty of the Intention, and the Juſtice of the Cauſe, than to the skill of the Author, or the merit of his performance.

It is uſual to ſay ſomething in theſe Caſes to the Perſon Addreſs'd to, not perhaps what is thought of him, but what is intended he he ſhou'd believe is thought of him. For that reaſon the good things I have to ſay of you, ſhall be ſaid behind your Back, where they will be better received, and leſs ſuſpected than by yourſelf.

It has been the endeavour of ſome to fright us out of our Liberties with the apprehenſions of Slavery,

very, as wretched Miſers ſtarve themſelves for fear of want. Yet ourdanger from Foreign Enemies is neither ſo great nor ſo near, as to juſtify any neglect of Domeſtick Miſmanagements and Incroachments. But to judge rightly, and to meaſure diſtances and proportions truly, is the Talent of a very few, and therefore we have reaſon to regret the loſs of any one Member of the laſtHouſe in whom we have experienced thoſe Gifts. But it is the infirmity of Humane Nature to be always Repenting, and always Creating freſh matter of Repentance. To this frailty impute it, that you, and ſome others of thoſe worthy Perſons have not met with thoſe acknowledgments from us, that their Care of our Country and Conſtitution deſerv'd, for which we

ought ſo to acquit our ſelves upon the next occaſion, and to make ſuch honourable Reparation as may convince the World that it was Surprize, not Ingratitude that made us this time unjuſt; which, I hope, will be the hearty endeavour of every honeſt Man, as well as of

Sir,

Your moſt

humble Servant.

THE PREFACE.

I Am ſorry to be able to ſay, that England *is really in Danger at this time, and to ſee that ſo many People find it worth their while to make a falſe Cry, and put us upon a wrong Scent, and yet perhaps, our Danger is not ſo much from Abroad as Home; nor are the Perſons uſually clamour'd againſt thoſe dangerous Enemies, I mean, tho I do not defend them. Declared Enemies are eaſily provided againſt, but Corrupt Friends, Betray us willing to the Snare: This has been the Caſe of* England *for ſome years paſt. There has been a Set of Men in Credit and Imployment, who have made the utmoſt Uſe of their Power and Truſt, to make a Diſtinction betwixt the King's and the Nation's Friends; as if in reality any Man cou'd be either without being both: But they had a particular turn to ſerve by*

it. They talk'd for the King, and Acted for themſelves; their buſineſs was to Dive dexterouſly, and to take care that no other Sharpers ſhou'd come at the Pocket of the Nation before 'em. They found it full, and have left it almoſt empty, yet ſtill they grudge it the Remainder, and ſtruggle hard to be at it again.

The Artifices of theſe Men have prevail'd ſo far, that the Intereſts of the King and his Country are in appearance as much disjointed, and a Court and Country are as oppoſite as ever heretofore. There was at the time of the Revolution, a number of Men, whoſe Merit lay in Mercenary Lungs, which they imploy'd to Rail on the Right ſide, for no other Reaſon than that it was the Riſing ſide: For like the Iriſh *Howlers at a Funeral, they might have been purchas'd at a ſmall matter, to have made the ſame Noiſe on t'other ſide: Theſe were cunning Merchants, and knew how to take the Beneſit of a Trade-Wind: They had little or no Share in the Common Stock, and therefore car'd not what became of their Company, ſo they themſelves thriv'd as Interlopers. The Perſonal Virtues and Merits of the King, furniſhed 'em with a Subject for Panegyrick, which they thought Meritorious, and have improv'd ſo far as to endanger*

our

our Conſtitution. They filled all the Nation with vaſt Encomiums of his Majeſty's Heroick Actions, and Diſpoſition, which tho really great in themſelves, and wanting no falſe Colours to ſet 'em off, they magnify'd at an extravagant rate, even beyond the Enthuſiaſm of Poetry. All this was ſtrain'd and affected, that they might be taken for the moſt zealous Admirers, and the moſt heartily affectionate Subjects the King had. But their main Drift was, that all Perſons who talk'd Soberly, and reaſon'd Juſtly of Things, without Hyperbole, might be taken by the Mobb, who love Extreams, for Perſons who Malign'd the Government, and Envy'd the Glory and Succeſs of his Majeſty. This Stratagem ſucceeded ſo well, that for ſome years, no Man whoſe Brains were ſettl'd, was thought ſufficiently ſenſible of the Benefit of the Revolution, and the Bleſſing of his Majeſty's Reign. Thoſe who did not come up to the pitch of their counterfeit Madneſs, or any ways diſapprov'd the furious Driving, were ſtigmatiz'd as Jacobites, Diſaffected, or at beſt, but indifferently inclin'd to the Government; tho they had contributed far more towards the Eſtabliſhment of it, than any of theſe mighty Talkers. By theſe means almoſt all the Gentlemen of Antient Families

lies and Eſtates, all through the Nation, were excluded from the number of the Kings Friends, becauſe they ſcorn'd to play the Sycophants like the others; and the Court was ſoon fill'd with Perſons, whoſe obſcurity ſuffer'd 'em not to be known before, or whoſe Compliances in the late Reign, had render'd 'em at preſent ſufficiently Obnoxious. Having thus got footing in the Court, they made it their Buſineſs, by Intrigue and Miſrepreſentation, to ſupplant, as many as poſſibly they cou'd, who did not fall directly in with them, and their meaſures, and who ſtill ſhewed ſo much Conſideration for the Intereſt and Conſtitution of their Country, as not to be hurried into any precipitate Action contrary to 'em.

Theſe were generally of the Church Eſtabliſh'd by Law; and tho in the Reign of King Charles, *they had been diſcriminated by Names, importing little Agreement; yet in that of his Brother, they jointly made a ſtand, in Defence of our Religion, Laws, Liberty, and Property, whilſt the* Diſſenters *Addreſs'd, with Offers of their Lives and Fortunes, to pull 'em down. However, theſe latter were thought the properer Inſtruments to ſerve the Purpoſes of ſome People, which wanted no Honour or True Underſtanding to carry 'em on, but were bet-*

better brought about by Knaviſh Cunning Confidence and Obſequiouſneſs. And therefore, the other were to be Shuffl'd out of the Pack as faſt as they cou'd; and in their ſtead, a ſet of Hungry, Bold, indigent Perſons were to be brought into the Adminiſtration of Affairs, not only in the Court, but all the Nation over. The Commiſſions of Lieutenancy, and the Peace, were chang'd throughout the greateſt part of England, *and Men of no Birth, Fortunes or Reputation, were put into the places of the beſt Gentlemen, who were every where turn'd out, this was done to give the Mobb a taſte of Authority, and by raiſing 'em to a ſeeming Level with the beſt Men of their Country, to habituate 'em, to a ſawcy Familiarity and Contempt of their Betters. In doing this, they had two Things principally in View: Firſt, by preferring ſuch Men, they gave ſuch a precarious Authority only as depended upon their Pleaſure, and conſequently they fix'd to 'em a Party, that might be prompted to what they pleas'd, and were in appearance of great Strength, if not in reality. Secondly, That they ſhou'd thereby Create ſuch a laſting Animoſity between the Gentry, and the Mobb, as might keep 'em perpetually divided and oppoſite, eſpecially in all publick Matters, as Elections for Parliaments, &c. And*

And perhaps there was a third Thing in proſpect of deeper reach than all theſe; which was, That ſhou'd it have pleaſed God, for our Sins, to have ſnatched from us the King, on the ſudden by chance of War, or other fatal Accident, during the Tumult of Arms abroad, and the Civil Diſorders they had rais'd among us at home, and a numerous, corrupt, licentious Party throughout the Nation, from which the Houſe *of* Commons *was ſometimes not free, they might entertain Hopes from the advantage of being at the Helm, and the Aſſiſtance of their Rabble, to have put in Practice their own Schemes, and have given us a new Model of Government of their own Projection, and ſo to have procured to themſelves a laſting Impunity, and to have mounted their own Beaſt, the Rabble, and driven the Sober part of the Nation like Cattle before 'em.*

That this is no groundleſs Conjecture, will readily appear to any conſidering Perſons, from the Treatment of her Royal Highneſs *the Princeſs of* Denmark, *the Heireſs Apparent to the Crown, met with all along from them, and all their Party. They were not contented to ſhew her a conſtant Neglect and Slight themſelves, but their whole Party were inſtructed to treat her not only with Diſreſpect, but Spight; They were buſie to traduce Her*

with

with falſe and ſcandalous Aſperſions; and ſo far they carried the Affront, as to make Her at one time almoſt the common Subject of the Tittle Tattle of almoſt every Coffee-Houſe and Drawing Room, which they promoted with as much Zeal, Application and Venom, as if a Bill of Excluſion had then been on the Anvil, and theſe were the Introductory Ceremonies.

It is no anſwer to this Obſervation, to ſay, that the Vulgar will give themſelves unjuſtifiable Liberties of Talking, and that Princes, how Sacred ſoever their Perſons be, muſt expect to feel ſometimes the cauſeleſs laſh of their licentious Tongues. But it is an old Obſervation, That the Flock never wanders without ſome Bell-weathers to lead 'em aſtray. When Diſeaſes are Epidemical, Phyſicians tell us, There is a Contagion in the Air, and by the Univerſality of the Infection amongſt one Party, 'tis eaſie to gueſs from what Quarter the Malignant Blaſt proceeds. Let 'em then make what uſe they can of the ungovernable Licence of the Mobb, it will hold everlaſtingly true, That the People never give ſuch a general looſe to their Tongues, till their Brains have been firſt inflam'd through their Ears, by Men of worſe Principles, and deeper Deſigns, by whom they are thus wrought up to the Execution of em. It

It might perhaps be a ſtrong Confirmation of our Suſpicions, if we were to obſerve the Critical Timing of thoſe Stories in the firſt Invention, and in Reviving of 'em afterwards, and the Confidence wherewith the Diſſenters, eſpecially the leaſt Cautious of 'em, expreſs their Satisfaction in hopes that the Princeſs ſhou'd never ſucceed to the Crown. But ſince theſe Reports are huſh'd, and the Hopes of the Party in that Point quaſh'd for the preſent, I ſhall wave any farther Reflection, only with this notice, That their Affections are not chang'd with their Hopes, as we may obſerve by the Alacrity and Reſpect with which they affect to ſpeak of the Princeſs and the Houſe of Hanover, *whom they know not, and the Coldneſs and Silence wherewith they paſs over the next and immediate Heir, ſince they dare no more.*

If the great ones that head and cheriſh that Party, wou'd be thought not to Encourage ſuch Principles and Practices, let 'em by themſelves, and their Minions and immediate Favourites, ſet 'em better Examples of Duty and Reſpect. The common People are too apt to imitate, or deſert their Party-Leaders. Let 'em therefore mend their Patterns, and they will ſoon find the Manners of their whole Party mended, or them-

themſelves abandoned by 'em. If they neglect to do this, the World has no reaſon to believe 'em, when they pretend to be in reality what they refuſe to be in Appearance, and are ſo fearful of hazarding an Intereſt which they can't uſe to good Purpoſes.

But the Party, which theſe Men have Eſpous'd, and whoſe Intereſts upon all Occaſions they promote and advance, have been always known for notorious Dealers in Calumny and Slander; and 'tis no leſs notorious, that their Trade in ſcurrilous Lampoons, impudent Libels, ſcandalous Pamphlets, forged Accuſations, and groundleſs Calumnies, has been wonderfully improv'd ſince ſome of our late Miniſtry put themſelves openly at the Head of 'em. It were endleſs to ennumerate the ſeveral infamous Libels which that Faction has Spawn'd, and diſperſed not only all over England, *but even through* Holland, Germany *and the* Weſt Indies, *that they might as far as lay in their power, Poiſon the whole World at once. Some of 'em, have Libell'd the whole Nation in the Aggregate, others have Revil'd the Parliament in the Lump, and an Infinity have been ſent abroad, unjuſtly to Defame particular Members. A Catalogue of all theſe wou'd make a* Black Liſt *indeed, which might move Envy even in the Devil,*

to

to ſee himſelf ſo far outdone at his own Weapons, Malice *and* Lying.

To Rake into ſuch naſty Ordure were to Poiſon the Reader, except he be bleſt with a very ſtrong Conſtitution, or a powerful Antidote. I ſhall therefore paſs over the whole Herd of mercenary Scribblers, who live by Lying, and cou'd not get their Bread but by Slander. Let 'em like impure Swine, ſtill gather up their Morſel from the Dung-hill, and may their Lives be as long as they are loathſome and wretched. All good Men will for ever loath and deſpiſe 'em as much I do. I ſhall take notice of only of one of theſe Libels, which for the ſuperlative Nonſence, the manifeſt Abſurdity, and the comprehenſive Shortneſs of it, ſeems preferrable to Legion, *or any of the reſt of their Productions.*

The Paper I mean is the Black Liſt, *wherein the Author (for I ſhall treat the Club that hatched it as a ſingle Perſon here, becauſe with united Folly, they have produc'd a very uniform piece of Nonſence and Abſurdity) does with a gallant Impudence tell the whole Nation whom they ſhall Chooſe, and whom they ſhall Reject, without ſo much as offering one Reaſon why they ſhould pay ſo much deference to a nameleſs Perſon. 'Tis true, he preſixes to his Catalogue ſeve-*

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ral impertinent Queries, relating neither to the Electors, nor the Perſons to be Elected, nor the buſineſs and end of Elections, by which he downright calls all the Freeholders and Freemen of the Nation Sots, Sots *that are to be directed, without Reaſon or Authority, by a* Knave *and a* Fool *without a Name. Then he proceeds to Name a hundred and ſixty ſeven Gentlemen of the beſt Quality, Figure, and Reputation, for Birth, Eſtates, and Abilities in the whole Kingdom; one half of which, let him begin to number at which end of his Liſt he pleaſes, are able to purchaſe, baffle, and overthrow the Eſtates, Projects, and Intereſts of him, and all his Party.*

But ſince this Author ſeems not to know for what End and Purpoſe Members are Elected by the People to Repreſent 'em in Parliament, I ſhall firſt tell him that, and then proceed to give him ſome Inſtructions for the next Edition of his Paper. The Buſineſs therefore of a Houſe *of* Commons, *is to Repreſent the whole Commonalty of* England; *That is, to do all thoſe Things, and Exerciſe all thoſe Powers for the Welfare and Safety of the Publick, which the whole Common People wou'd be ſuppos'd to Do and Exerciſe, cou'd they Aſſemble together, and Conſult, and Debate Orderly and Quietly, and deliberate Maturely for thei-*

own common Good and Safety. They are to appoint all Publick Disburſements, the Quantity, Time, and Manner of their Payments, the Uſes to which they are to be Diſpos'd, and if they pleaſe, the Officers through whoſe Hands it ſhall paſs. They are to Enquire how ſuch Sums have been Apply'd, and if they find any Miſapplication, to bring the Offenders to Puniſhment. They are to Adviſe with, and Aſſiſt the other Two Soveraign Eſtates, in all arduous Affairs, eſpecially in Making and Contriving good Laws for the Security of our Religion, Liberties and Properties. They are to Revive ſuch good Laws as are Antiquated, and to Repeal 'em if the Reaſons be ceas'd, and the Laws themſelves of no longer Uſe and Benefit to the Publick. They are to Protect and Preſerve Entire, the Rights and Priviledges of the whole People, as a 3d Part of the Soveraignty. They are to Repreſs and Puniſh all Inſolencies and Affronts offer'd to that Eſtate which they Repreſent, and to take care that ſuch Offenders be Corrected according to their Demerits. There are many other Things which I could tell him, of no leſs Moment; but this Authors Head is not made to bear much, and therefore I ſpare him, and paſs on to the Inſtructions.

And here, becauſe ſome Truth of Fact looks

looks well in a Publick Paper, even when the Buſineſs of it is to Lye, Miſrepreſent, and make falſe Inferences, he ſhou'd, inſtead of his Impertinent Queries at the beginning of his Paper have told his Reader:

That the Perſons under-named were moſt of 'em Men of the moſt conſiderable Eſtates in England, *but that they were the leſs proper Men to ſerve 'em for that. For Men of great Eſtates, are undoubtedly moſt liable to Venality and Corruption, and as they had little to fear, and uſually nothing to loſe, but their Honour and Eſtates, it was moſt probable they might be either Aw'd or Brib'd from their Duty. But that on the contrary, there were abundance of very good Patriots with very ſmall Fortunes, and very good Places, that Aſpir'd to ſerve their Country in the room of theſe Men, who having much to loſe, and little to ſupport 'em, when their Places were gone, wou'd therefore be very Cautious what they did, and conſequently were the fitteſt Perſons to ſerve 'em in Parliament.*

He ſhou'd have Inform'd 'em, That the Gentlemen of the Liſt, *were many of 'em of very Antient Families, and had their Eſtates and Seats tranſmitted to 'em through many Deſcents, and a long Series of Anceſtors; and conſequently that it was not to be won-*

der'd at, if being weary of their old familiar Manſions, *they ſhou'd covet ſuch fine* New Houſes *as they ſee the Courtiers run up every day, and conſequently ſhou'd Betray their own Property, to compaſs theſe gay fine Things, which they cou'd not have otherwiſe. But that there were thoſe ready to ſerve 'em, who had theſe Things already, and therefore muſt needs be paſt the Deſire of 'em; and having render'd themſelves Obnoxious to procure 'em, would take care how by freſh Misbehaviours they forfeited thoſe hopes of Impunity, which they now labour'd and ſtood Candidates for.*

He ſhou'd have Affirm'd, (for affirming right or wrong, has been the conſtant Practice and main Support of his Party) that the Gentlemen being Men of great Capacity and Underſtanding, were therefore the more dangerous, and the leſs fit to be Truſted with the weighty Affairs of the Nation; that they were Scrupulous, and apt to raiſe Difficulties, and oppoſe the Pleaſure of their Superiours. But that there were a ſort of Men whom he cou'd recommend to 'em, eaſie of Faith, ſlow of Apprehenſion, and very ready to give in to what Men better vers'd in the Niceties of State directed 'em to.

He might have Objected againſt 'em, That they were Men of narrow Spirits, that were

for

for Cramping, and Contracting the Church *of* England *to the ſtreight Limits of Teſts, and Articles, and other ſuch Clogs, to Men of a free and unbounded Perſuaſion. But there were others enow of generous comprehenſive Souls, who were for Enlarging the Pale of the* Church, *and taking in* Proteſtants *of all Denominations, whether* Presbyterians, Independants, Quakers, Anabaptiſts, Arians, Socinians, Deiſts, *and I think I may add* Turks, Jews, *and* Infidels: *an Improvement that has been long upon the Anvil, and had not theſe ſtreight-lac'd Men obſtructed it, the Church had long ſince rejoyc'd in the downfal of Popery by ſuch an univerſal Comprehenſion.*

He might have Accus'd 'em of being Sordid, Covetous, and Diſcouragers of Parts and Ingenuity; who were for confining Men in great Places to ſettled Salaries and honeſt Perquiſites, and taking from 'em the overplus which was purely the fruit of their Sagacity and Contrivance, to the loſs of many Millions to his Majeſties moſt immediate Friends and Servants. But that there were (if they pleas'd to elect 'em) a Race of old Spartans *left, who encourag'd Ingenuity, even in Theft itſelf, and wou'd not damp the Spirits of able Miniſters, with* Acts *of* Reſumption, *and Demands of* Accounts *which were not to be given.*

He might have Inveigh'd againſt 'em as a Sour, Moroſe, Quarrelſome, Litigious ſort of Men, That had Impeached great Lords for a few trifling Millions Begg'd, Perplexities, Overſights, and Negligences in Accounts, Slips, Inadvertencies, and want of Information in ſome Treaties *concluded: and had ſtood out an angry Diſpute with the Lords, about ſome petty Priviledges, that only gave themſelves Trouble, and others Vexation. But he cou'd offer a ſet of good Temper'd eaſie complying Men, that wou'd not put the Nation out of Humour about ſuch Matters, and wou'd part with any unſeaſonable Rights and Priviledges, rather than Ruffle the Lords, and put the Court into a Conſternation: Men that wou'd carry things on ſo ſmoothly, that the People ſhou'd not hear of Male Adminiſtration, Diſſolutions and New Elections of Parliament twice in the Courſe of a Mans Life.*

He might have Reproach'd 'em, with being the very Men that Disbanded the Army after the Peace of Reſwick, *and left the ſecurity of the Nation to its own unarm'd Strength, and two ill contriv'd inſufficient* Treaties, *by which we are put to the trouble of Raiſing freſh Forces upon every new Occaſion: Whereas if they wou'd*

take

take his Recommendation, he cou'd find 'em a Set of Officers who wou'd take care to keep up ſuch an Army *at all times, as ſhou'd not only be able to Defend, but Govern us too, even without a Parliament, and find ſuch* perpetual Funds *for* Subſidies, *as might be ſufficient upon all Occaſions, without giving the Country the Trouble or Charge of Granting, Aſſeſſing, or Levying, by any Civil Officers, and thereby Eaſe the People totally of their Share in the Government.*

If he wou'd take this Method in the next Edition of his Black Liſt, *he wou'd thereby gain the Reputation of ſome Sincerity at leaſt, his Reaſoning wou'd be more Concluſive, and his ſucceſs much better. But Lying and Slander has been the conſtant Support of their Party, the only ſucceſsful Engine which they have made Uſe of to put Fools into a Ferment they knew not why. By falſe Clamour and Bellowing, they have gain'd to themſelves among ſome People, the Reputation of zealous Friends to the Government; which indeed they have ſtuck faſt to, but 'twas like Leeches; and a little Salt from the Hands of the Parliament ſoon ſhew'd what it was they Adher'd ſo cloſe for. 'Tis to be hop'd, that hereafter the Eyes of the People will be more open, and*

their Ears leſs, and that they will be no lo n ger hurried beyond their Senſes by mere Noiſe and Clamour. We have been driven already to the very Brink of Deſtruction, our Treaſures have been riotouſly Waſted, and our Conſtitution in danger of being Subverted, and the Nation almoſt in general Corrupted, and all this under a Colour of a falſe pretended Zeal for the King's Perſon, by which ſome men have arriv'd to ſuch a height of favour at Court, and ſuch a degree of Popularity in the City, that they have been able for ſome years to Brand all thoſe who took any care of our Conſtitution, and offer'd to require any good Husbandry in the Diſpoſition of the Publick Treaſures, with odious unpopular Names, and almoſt to ſtir up the Mob againſt 'em; and when their own rapacious, fraudulent, unskilful, and pernicious Adminiſtration was inquir'd into, cou'd have the Addreſs to turn the Affront upon the King, and make it a Reflection upon his Government. Thus had they ſucceeded, the old Engliſh *Conſtitution had expir'd with his preſent Majeſty; and now they are Detected, they Expoſe the* Throne *to the Odium of their own Ill-Conduct. But it is hop'd, that all honeſt Men will hereafter be able to make a true difference between the Acts of a Gracious Prince,*

and

and the crafty Machinations of a ſubtle, ſelf-ended ſet of Miniſters. And ſince the majority of the Nation, have by their choice, acknowledg'd their Obligations to moſt of thoſe worthy Patriots, whoſe Courage and and Prudence ſtemm'd this impetuous Torrent of Bribery and Corruption, and diverted the fatal Storm which hung over our Heads, I doubt not but they will be daily more ſenſibly convinc'd of their great Obligations to 'em, and take the firſt Opportunity of ſhewing their Gratitude to thoſe few of 'em, whom the Malice, and Artifices of their Enemies have robb'd of the preſent Acknowledgment and Thanks due to their great Services.

It may, perhaps, be ſtill expected, that according to the uſual Manner of Prefacers, *I ſhould have a great deal behind to ſay of the Book, and its Author, and forty odd Reaſons to give for the Writing of it; but thoſe who have ſuch Expectations, will be diſappointed. For the Author I have little more to ſay, than that a juſt Indignation to ſee the Authority of Parliaments ſo Inſulted and Trampled upon, put him upon this deſign, from the more early execution of which he received an unwelcome Diverſion from Indiſpoſition, and the care of ſome Affairs which more nearly concern'd himſelf, which*

oblig'd

oblig'd him to lay it aſide for a conſiderable time, yet he hopes it may not be unſerviceable now. And the Author aſſures him, That neither private Malice or Hopes prompted him to it; and that the Quarrel of the Publick apart, he has as much true value for the Perſonal good Qualities of ſome of thoſe who may be thought to be reflected on, as any of their Flatterers can have. On the other hand, he hopes he has kept himſelf clear of the Imputation of flattering thoſe whoſe Zeal for their Countrey he admires. He has offer'd no Incenſe at private Altars, to tickle the Vanity, or provoke the Bounty of particular Men, or to do any more than offer to 'em all his ſhare of thoſe Thanks they deſerve from the whole Nation. And when the oppoſite Party ſhall give him the ſame Reaſon, he aſſures 'em, he ſhall be ready to be as juſt to them. No Reader can be ſo Ignorant, as not to ſee in the peruſal of this Book, that he had frequent Opportunities to launch out into Characters, and Encomiums of many particular Members, had his aim been only to ingratiate himſelf with 'em; but to avoid the ſuſpicion of that, he has declin'd to prefix his Name. For he aſſures the Reader he is as little fearful, as ambitious of being Nam'd.

For

For the Book itſelf he will ſay little, it muſt ſtand or fall by the Affections of the Readers, who will moſt of 'em Juſtifie or Condemn it, as they like the Cauſe it pleads. But if it finds any Readers yet calmly diſpos'd to hear reaſon in ſo great a Cauſe, 'tis there he propoſes it ſhou'd be of Service. And ſome ſuch he ſuppoſes there may ſtill be, who are yet undetermin'd in their Judgments of theſe Matters. One Objection he foreſees, the Criticks may make to the Title of this Book; for with the Latitude it is written, they may think it ought rather to be call'd an Apology, *than a* Hiſtory; *and he will allow their Exception ſo far as to compound with 'em, and to own it to be an* Apologetick Hiſtory. *However, he is little ſolicitous about what Claſs of Authors they ſhall pleaſe to put him into. He has endeavoured to relate Matters of* Fact *faithfully, and to ſet the Actions of that Parliament in a true light. If his Colours be thought by ſome too ſtrong, they muſt impute it to the preſent violent Humour of the People, who have been accuſtom'd of late to ſuch glaring falſe Colours, that they can't reliſh ſoft Touches.*

The Reader is not to expect here, what paſs'd within Doors, or any Accounts of the Debates, or Speeches of particular Members, or any thing more than has been Publiſh'd

by

by Order, with his own Obſervations thereupon. He leaves thoſe things to the Secret Hiſtory *Mongers, who trade altogether in Falſhoods and wrong Applications. But he thinks it the height of Impudence and Injuſtice, to reflect without Doors upon what is ſaid within, uſually with much truer Intention of Service to their King and Country, than it is reported abroad with afterwards. Neither muſt the Reader expect, that he ſhould take notice of all the Acts of the laſt Parliament, that were an endleſs and an unneceſſary trouble; but he has ſelected thoſe which were of moſt Conſequence to the Publick, and which give the juſteſt Idea of their true Diſpoſition to the Service of their King and Country. If herein he has acquitted himſelf as he ought, and given the Reader any Satisfaction, he has his aim, and will ſeek no farther.*

THE

THE HISTORY OF THE Laſt Parliament.

AFTER a Tedious War of Ten Years, in Defence of our Religion, and the Liberties of *Europe*, in which our particular Share amounted to upwards of Sixty Millions Sterling, beſides the Loſs of above Two hundred Thouſand Men, and about three Thouſand Ships with their Lading, a Sum beyond Computation; when by the Valour and Conduct of his Majeſty, and the Succeſs of his Arms, the Pride of *France* was humbled, and ſhe forc'd to beg Peace upon Terms no way ſuitable to the Haughtineſs of her Monarch; we began at laſt to hope for, rather than enjoy the Fruits of an Honourable Peace, it was no ſmall Surprize and Affliction to all Good Men, Lovers of their Country,

to

to ſee ourſelves without the leaſt Overture of Hoſtility on either ſide, on the ſudden involv'd afreſh in a Neceſſity of a War of much more Ruinous Conſequence, and under Circumſtances infinitely more difficult and diſadvantageous, than we began the former: A War in all appearance like to be exceedingly more Expenſive, Obſtinate and Bloody, unleſs we take Meaſures of better Thrift, and more good Husbandry than hitherto we have done, in the Management of the Publick Revenues, and in the providing for, and payment of our Fleet and Armies.

But, tho' War at any time may be reckon'd amongſt the ſevereſt Calamities that can befal any Nation, it is at this Juncture the moſt unhappily circumſtantiated for us of any that ever we were engag'd in. For the Death of the Duke of *Glouceſter*, having to all outward appearance put a Period to the Royal Line in *England*, and open'd a wide Breach in thoſe Banks, which we have been at ſo immenſe a Charge to caſt up for the Defence of our Religion and Property, it required the moſt ſedate Thoughts, and moſt mature Conſideration of the united Wiſdom of the Nation to repair 'em;

and

and to ſettle and ſecure the Succeſſion to our Crown, on worthy and honourable Heads, ſuch as had been nurs'd up in a Religion, Form of Worſhip, and Government not irreconcileable to our own. This oblig'd us to look once more abroad, and to graft ſome Foreign Plants upon the Royal Stock; that, if Providence ſhou'd deny us the Bleſſing of farther Iſſue from either of thoſe two, who at this time make our whole Line at Home, we might not for want of a timely Proviſion be forc'd either by Faction among ourſelves or Awe from Abroad, into ſuch Precipitate, Indigeſted Meaſures as are the uſual reſult of Tumultuous Councils, called upon the ſurprize of ſudden and great Emergencies. The King and Princeſs are ſo near an Equality of Age, that ſhou'd one Live (as 'tis our Prayer he may) to a reaſonable Old Age, t'other according to the ordinary Courſe of things can't expect long to ſurvive him. Since therefore our whole Royal Line is reduc'd to two, and thoſe perhaps for the foregoing Reaſon not much more than one; the proſpect of Iſſue by either of 'em diſtant and uncertain, a neceſſity of ſuppoſing a poſſibility of a defect, and, upon that ſuppoſition, of ſupplying that

defect

defect with Succeſſors of another Church and Nation, I don't ſee how our Senate cou'd without Raſhneſs have engag'd in a dangerous and difficult War, before they had provided for our Security at Home in that Point. Beſides, the admiſſion of a Foreign Succeſſor has a natural, tho almoſt imperceptible tendency to alter our Conſtitution, againſt which it behoved the Wiſdom of the Nation to provide a ſufficient Remedy, which how they have done, and whether our Senate have therein acted like wiſe Men, and good Patriots, we may have occaſion further to examine in the Sequel.

Beſides theſe difficulties relating to the Succeſſion, we lay at this time under the preſſure of divers other very weighty ones, ſuch as juſtly might, if not diſſwade Prudent Men from entering into a new War, yet caution them againſt too haſty Reſolutions. The late War had left us low in Purſe, Credit and Invention, weary of Taxes, tir'd with Projects, our Funds anticipated and deficient, and to compleat all, a Debt of Eighteen Millions, at high Intereſt. If theſe difficulties to ſome Men ſeem'd at firſt view inſuperable, it is not much to be wonder'd

at

at. Land had already in many Counties paid three or four Years purchaſe towards the Maintenance of the *Laſt War*, and they ſaw no other probable way of ſupporting the Charge of another, but by a Land Tax, which might in Time devour more, than would have bought the Inheritance of thoſe Lands. This gave the Land-Owners great diſſatisfaction, and an abhorrence for the Thoughts of War, and was conſequently a good Reaſon, why our Repreſentatives ſhould not precipitate the Nation into a War, before they had bethought themſelves of ſome Method to bear the Expence of it, that might be leſs grievous to the Land Owners.

Another *Remora* was, that great Miſmanagements were complain'd of in the Providing, and Paying the *Fleet*, and *Armies*, and in Collecting, and Managing the ſeveral Branches of the Revenue. Wealthy Men ſhot up in the ſeveral Offices like Muſhrooms, and while the Government was in danger of becoming Bankrupt, all its Servants rioted in ſuch Wealth, and Plenty, that the bare handling of a Broom or a Bruſh in any of thoſe Offices was the ready way to a plentiful Fortune; as if the Publick Trea-

ſure had been thrown there only for the Officers to ſweep it into their own Pockets. Theſe Abuſes at a time of Publick Poverty and Diſtreſs, call'd loudly for Reformation; and our Repreſentatives wiſely concluded, that the People would not chearfully contribute towards the Expence of another War, till they had ſome ſort of Satisfaction on that Article, and were aſſur'd that what they gave ſhould be better husbanded for the future; which could not be but by Retroſpection, and examining into paſt Miſcarriages, and calling the principal Offenders to account, both for their own better Information, and for the more orderly Regulation of all ſuch as ſhould come into thoſe Offices for the time to come.

There was yet another Conſideration, which weigh'd much with ſome Men, and ſtopt 'em from preſſing the Declaration of War, tho' they were otherwiſe conſenting to it. Our Neighbours the *Dutch* had not yet declar'd War; but had by owning the Duke of *Anjou* for King of *Spain*, given earneſt of their peaceable diſpoſition, and as it were offer'd thereby to compound for Quiet. Now if we by an over-forwardneſs to ſhew our Zeal, had declar'd War firſt, we had by ſo doing

ng made our ſelves Principals, who need only to be ſeconds; and had brought our ſelves under a Neceſſity of demanding that Succour from them, which now they have been forc'd to beg of us. Some People may perhaps think, that it amounts much to the ſame in groſs, whether we aſſiſt the *Dutch*, or the *Dutch* us, provided both Nations be heartily engag'd on the ſame ſide. But this is a very falſe Notion. For, turn the Tables, and ſuppoſe us to lie as the *Dutch* do, and they as we, that the *French* had ſo many ſtrong Towns (for all the *Spaniſh* Towns are theirs now) as it were in the middle of our Dominions, ſuch great Magazines, ſuch numerous Garriſons, and Forts, and were, to ſumm up all, able at very ſhort Warning to Aſſemble a hundred thouſand Men, Veterane Troops all on our Frontiers; what then would be our Caſe? Muſt we not, if we would keep our ſelves a free People, upon the firſt Motions of the *French*, ſupplicate all the Princes and States, our Neighbours, eſpecially the *Dutch*, whom we ſuppoſe to be ſituated, and circumſtanc'd as *England* now is; Would they not conſider, that their own danger was remote, and that they could not be ſenſibly affected but thro

our Ruin, and therefore expect, that ſome conſiderable advances ſhould be made on our part to invite 'em to take the Protection of us upon 'em? Would they not Remember, that ſuch things had been done heretofore, when we were the poor diſtreſſed States? Would they have forgot, that not many Years ſince, we made 'em pay a long Bill for ſerving our ſelves as well as them? Would they not, if they did eſpouſe our Quarrel, do it in ſuch Manner, and on ſuch Terms, as they upon due Conſideration ſhould find moſt agreeable to their own Convenience at preſent, and Intereſt for the future? Or would they, while we were treating (tho with Arms in our hands) with our Enemies, run themſelves into a declar'd War, and ſo put the Ballance into our hands, which was before in their own? If theſe things would deſerve the Conſideration of our Neighbours in the like Caſe, why ſhould they be ſlighted by us? Unleſs we pretend to be above thinking, to love War for Fighting ſake, and carry our Brains about us only to be knockt out. Let us conſider, what would probably have been the Iſſue e're this, had a War been declar'd between *England*, *France* and *Spain*, upon

upon the firſt opening of the Parliament? The *French* were in actual Poſſeſſion of all the *Spaniſh Flanders*, had great Force there, had near finiſh'd or were well advanc'd in the Lines, they were making for their own Security, built Forts under the very Cannon of the *Dutch*, were able to aſſemble a vaſt Body of Troops, whenever they pleaſed, and were yet in Treaty with the *Dutch* about farther Terms of Peace and Security. On the other ſide, we our ſelves had neither Ships, Men nor Money in a readineſs to defend our Selves, aſſiſt our Allies, or offend our Enemies. The *French* were in ſuch forwardneſs with their Naval Preparations, that we expected daily, when they ſhould inſult our Coaſts with their Fleet, tho no Declaration of War had been made on either ſide. The *Dutch* were in terrible awe, and durſt not provoke the *French*, leſt they ſhou'd be ſwallow'd up at Land. They ſaw 'em ready to pour like a Torrent into their Country, and wanted a ſufficient Number of Troops to make Head againſt, and oppoſe 'em, and had no means left, but to keep out one Inundation by another, to let in their old Enemy the Sea to keep out their new Allies the *French*, and

to drown their Country to preſerve their Towns from being burnt. Is it not reaſonable to believe, that if the *French* found themſelves Engag'd in actual War with us, while they were yet in Treaty with the *Hollanders*, that they would offer 'em ſuch Terms of advantage, as might invite 'em to accept a Neutrality, if not to enter into a League offenſive and defenſive, as *Portugal* has already done, tho it be apparently againſt the Intereſt of their future Security? In this caſe what aſſiſtance could the reſt of the Allies give us? Would any diverſion, that the Emperour, and thoſe Princes, and States of the Empire, who reject the offer'd Neutrality, ſhould be able or willing to give to the *French* Arms on the ſide of *Italy* or the *Rhine*, be ſufficient to keep him from being an over-match for us on this ſide? No! We ſee he is able to make Head againſt them, and yet to bring 140000 Men into the Field in *Flanders*, beſides his numerous ſtrong Garriſons in that Country. But it may be objected, that while we are Maſters of the Sea, thoſe Troops, were they ten times as numerous, could not hurt us. Yet we know, that at the firſt coming together of this Parliament, had *France* been

n the forwardneſs with her Naval Preparations, that we then generally believ'd her to be, we were not in a Condition to have hinder'd her Landing upon our Coaſt as many of thoſe Troops as ſhe had pleaſed. But were the *French* abſolutely at leiſure, and in ſuch readineſs on this ſide, as they would infallibly be, were the States Neuters, there are ſuch opportunities from Winds to be watched, as that the beſt appointed *Fleet*, that ever we had ſhould not be able to prevent their Landing either in *England* or *Ireland*. What then if the *Dutch* ſhould have been tempted by great offers (which we may be ſure would not have been wanting) to lend their Shipping and Ports to the *French*? How could our Ruin have been avoided? Could we have avoided the reproach of being the moſt ſtupid People under the Sun, for truſting our ſecurity in any other hands than our own, while we were able to provide for it our ſelves; and for putting the Probity of our Friends to ſo ſevere a Teſt, as to try whether they would Sell us, or not? Whatever had been the Succeſs, we could by no Addreſs have warded off the Ignominy of ſuch an Experiment.

But not to wrong our Neighbours and Allies, with an injurious Suppoſition,

tho there be no impoſſibility in either Phyſical, or Moral, let us take it for granted that in ſuch a Caſe, the States General would have rejected all offers of Alliance, or Neutrality with the *French*, how advantageous ſoever, and preferr'd an Alliance, Offenſive and Defenſive, with us, to any Conditions from *France*. It would however have brought ſuch an Obligation, and perhaps Debt upon us, as would not eaſily have been diſcharg'd. For let us ſuppoſe 'em as affectionate to us, and our King, as the moſt zealous Advocates for 'em can alledge, we know 'em to be upon all occaſions very watchful, and diſcerning of their own Intereſts, a People that let ſlip no advantages, and know how to ſet a ſufficient value upon their Favours, and part not with them ſo eaſily, as ſome of their Neighbours, that pride themſelves more in Gallantry, and falſe Notions of Honour, which ought to have leſs ſhare in National Tranſactions, than uſually they have. Allowing 'em then in this Caſe to act with their uſual Prudence and Sagacity, when both ſides ſhall be forced to court 'em, and we in Manifeſt Danger of Ruin, unleſs we prevail; can we imagine that they would neglect to make the beſt of ſo fair a Mar-

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ket for the Succours they ſhould afford? For tho it be equally, or more their Intereſt than ours, that the Power of *France* ſhould recieve a Check, yet were we engaged paſt receding with Honour, or Safety, and they yet to make their Election of Peace, or War, we muſt oblige 'em by ſome favourable Conditions to determine on our ſide, and at leaſt be content to take our Meaſures and ſhare of that War from their Appointment; all which by a ſeaſonable Heſitation we have avoided, and kept the Ballance and Advantages on our own ſide.

A War, a War, is the common Cry, which is become ſo General, that it ſeems almoſt the Voice of the People. Now tho I think a great regard ought to be had to their ſenſe; becauſe 'tis they muſt bear the Burthen of it; and therefore their deſires ought to be complyed with, as far as it ſhall be found conſiſtent with our Security and Intereſt: Yet ſince their Advice can't formally be had, but in Parliament, and ſince reaſoning, and judging ſoberly, and truly of things, (as an Affair of this Nature requires) does not appear to have been in any Age, or Nation the Talent of the Multitude; the Great Council of the Nation have given

us

us a ſingular Inſtance of their great Temper and Prudence, in forbearing to give too much Ear to it, till they might perceive from whence the Cry came, by whom it was raiſed, and for what ends and purpoſes. However, I cannot but congratulate my Countreys happineſs upon the general Alacrity, and Chearfulneſs of the People, and the Willingneſs they ſhew to contribute to the laſt Drop of Blood, and Penny of Treaſure, to the Defence and Security of the Nation on the preſent Foot.

This Impatience for a War was principally, and moſt induſtriouſly excited and fomented by three ſorts of Men of very diſagreeing Principles, and for very different Ends. The firſt were Men who had a true Love, and Zeal for their Country and its Service; but by too quick a Senſe anticipated thoſe Calamities, which they fear'd might one time or other befal it. They apprehended fatal Conſequences from the unhappy Acceſſion of *Spain* to *France*. For they rightly judg'd, that, tho the Crowns were worn by diſtinct Perſons, the Adminiſtration, the United Power of both Kingdoms muſt neceſſarily Center in the King of *France*. The preſent Weakneſs of *Spain*, and the indiſpenſable

penſable need the new King had of his Grand Father's protection to ſupport his Title, and maintain his Poſſeſſion againſt thePretenſions and Arms of theEmperor, made this Concluſion Self-evident. They foreſaw,that,if *France* and *Spain* continued in good agreement, and *French* Councils (as 'twas probable they wou'd) prevail'd in *Spain*, our *Spaniſh*, *Straits*, and *Turkey* Trade were inevitably loſt; and that without ſome more effectual remedy, than had been hitherto preſcribed againſt Owling,*France* muſt infallibly beat us out of the Woollen Manufacture, eſpecially of fine Cloath, by engroſſing ſolely to themſelves the *Spaniſh* Wool. Theſe irreparable damages, *France* might do us without being guilty of Fraud, Violence, or Injuſtice of any kind, without giving us any cauſe of Complaint,much leſs any juſt ground for a War. But in caſe of a Rupture they ſaw*France* in a manner poſſeſſed quietly of all the Ports between us and the *Indies*; ſo that in all thoſe vaſt Coaſts, the States or We had not one Port to put into upon any occaſion without their leave. They knew not how to remedy all or any of theſe things, but by aWar,which they thought hereafter We ſhould neither have ſo fair Pretence, nor

Opportunity

Opportunity for, if we ſlipt the preſent. They were aware, that if *France* had leiſure to put *Spain* into a method of managing her Revenues, to garriſon, fortifie, and ſtore with Proviſions and Ammunition all her Maritime Towns, and make that long naked Coaſt defenſible, *Spain* would become a vaſt Acceſſion of ſtrength to *France*, inſtead of being, as then She was, a heavy charge and a Burthen to her. That *Spain* under ſuch Regulations, wou'd grow ſo formidable to her Neighbours, that *Portugal* or *Italy* would not after that dare to receive our Ships into their Harbours, without which they would not in many exigencies be able to live in thoſe Seas. For theſe and the like reaſons, reſpecting only the Intereſt of their Country, divers good Patriots did very early declare for a War, and endeavour to inſpire others with the ſame Sentiments.

A Second ſort, without looking farther than themſelves, were for a War, becauſe it was for them. They needed a War, and therefore deſired it, whether the Nation did or not. They lov'd War, becauſe it created Employment, and were for entring into preſent Pay, and Quarters. Theſe generally inſiſted on ſuch Topicks, as the other furniſh'd 'em with, and handled

dled their Arguments as well as they cou'd. However tho' moſt of 'em might be Men of little Intereſt, yet being pretty numerous and very much at leiſure, all Places of Publick reſort were ſtor'd with 'em, where they ſerv'd to ſet the Argument on Foot, and help'd to fill up the Cry. However, they may probably in a ſhort time be gratified (tho' not in ſuch Poſt-haſt as they deſir'd); and by employing their hands more than their heads, do their Country and themſelves better Service.

A Third ſort there were, who fell in with this Opinion, and propagated it with more Artifice, Zeal, and Addreſs, than either of the former; tho' not for reaſons ſo juſtifiable as the firſt, nor ſo excuſable as the ſecond. Theſe were they, who for ſome time paſt were at, or about the Helm, and to whoſe miſmanagement then a great part of, if not all our preſent Misfortunes, may juſtly be imputed. Theſe Men, after having lain ſo many years ſucking the Vitals of the Nation, till like ſated Leeches they were ready to fall off themſelves, are come at laſt to think a War as neceſſary upon any Terms, as they lately did Peace, and to rail at the Perjury and Treachery of *France* in the very ſame tone, in which

which they firſt recommended themſelves after having truſted the Security of the Nation to his Honour. But theſe Gentlemen are Philoſophers, and know that all things ſubſiſt, and are continued by the ſame Principles, that at firſt produc'd 'em. And therefore having in a ſhort time rais'd unweildy overgrown Eſtates, by plunging the Publick into Straits and Difficulties, and by Profuſion and Corruption gain'd a numerous and a clamorous Party, they were by the ſame Arts to be preſerv'd, which nothing favour'd ſo much as involving us afreſh in War, before we could extricate our ſelves from the Difficulties they had brought Us under during the former. The People were diſſatisfied to ſee ſo much gotten, and ſo little done for it by almoſt all Perſons in Public Employment; to find, that, from the higheſt to the loweſt, they all in proportion gather'd Riches unaccountably faſt; as if Places had been meer Hot-beds to force up Eſtates in; they were convinc'd that theſe things could not be, unleſs there were a mutual Conſciouſneſs, and Confedracy, and that ſome wink'd, that others might hold their Tongues. Theſe things they were diſpos'd to examine into; which the Male-Adminiſtra-

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tors knew, and therefore thought there was no way like hurrying 'em along a Precipice, to keep 'em from looking back, for fear of breaking their Necks. They had projected a Peace for em, which at the time of making it was likely ſoon to conclude in ſuch a War, as ſhou'd cut out Work enough to go forward, and allow no leiſure for Retroſpection. The *French* King with his uſual Sincerity (to which theſe Gentlemen were no Strangers) made his beſt uſe of the *Partition-Treaty*, told the *Spaniards* how their Allies had canton'd out their Monarchy, diſtributed much Gold, and more fine Promiſes, got a Will in his favour, and was modeſtly contented to take the whole, rather than the Share he had ſtipulated for; and theſe Gentlemen are ſurpriz'd, and tell us the King of *France* has deceiv'd 'em. This is ſtrange if they believ'd themſelves ſome Years ago. Nothing was more familiar in their Mouths than the Treachery of *France*, whom (they ſaid) no Oaths, Treaties or Obligations, how ſolemn and ſacred ſoever, cou'd bind againſt his Intereſt; and they had reaſon and experience too on their ſide, however they came ſince to have ſuch a Confidence in his Honour. Perhaps there are Arguments

ments that may be as well underſtood, and work as miraculous converſions here, as in *Spain*. But we are told that 'tis too late now to talk of theſe things; there are ſo many Rubs in our way, that we muſt not look behind us for fear of tumbling over 'em: our buſineſs now, they ſay, is to remove 'em, if we can, not to enquire who laid 'em there. The King of *France* is Maſter of *Spain*, the *Indies*, *Flanders*, *Naples*, *Sicily* and *Milan*; no matter how he came by 'em, it muſt be our care to ward againſt the Conſequence of this, which, they ſay, can only be by a War with *France*. Thus, like the Idolatrous *Hebrews*, while they are paſſing us thro' the Fire to *Moloch*, they call for Drums and Trumpets to drown our Cries. To inculcate this, their own, and all the hackney Pens they can procure, are drawn, and they hope like Cuttle-fiſh to hide themſelves in a Sea of Ink of their own ſhedding. Their Legion of Friends, ſuch as Bribes, Grants, Penſions, Places, and Commiſſions, have procur'd 'em, are inſtructed to bellow all over *England* the preſent danger from *France*, the immediate Neceſſity of a War, and the unſeaſonableneſs at this time of looking into paſt Miſtakes, Overſights, Slips, Inadvertencies, and ſuch like Peccadilloes

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(as they term all Abuſes) at home; and by all means to poiſon the unthinking Mob with falſe diſreſpectful Notions of the Commons, whoſe enquiries they dreaded; and if any good Patriot ſhould be inquiſitive into paſt miſcarriages to aſperſe him with taking of *French* Gold. Tho' it is more to be ſuſpected, and perhaps to be wiſh'd, ſince their Services have deſerv'd it, that their own and their Creature's Eſtates had been purchas'd with that Money, by which the Nation wou'd have been ſome Millions the richer. What has been the Succeſs of theſe Artifices, what diſturbances they have already created in the Nation, We have all ſeen; but what will be the concluſion of 'em is more than I dare undertake to divine. However it is to be hop'd, that we are not in a condition altogether ſo bad as they wou'd have us, and that We may yet be able to look both to our Selves and them.

This was the face of Affairs all *Europe* over, cloudy and full of gathering Storms, when the Parliament came together on the 10*th* of *February*, 1701. On the 11th of *February*, His Majeſty came to the Houſe of Lords, and in his Speech recommended *firſt and principally to their Care, the providing for the Succeſſion after himſelf,*

and the Princeſs, as the thing whereon our Security did mainly depend.

Thence His Majeſty proceeded to recommend to 'em, the mature conſideration of the alteration of Affairs abroad, by the Succeſſion of the Duke of Anjou.

Supplies for the Service of the current Year, reminding 'em of the Deficiencies and Publick Debts.

To take into their conſideration the Condition of the Fleet, and the neceſſary Repairs and Augmentation of it, and to provide for the better Security of thoſe Places where the Ships are laid up in Winter.

The Regulation and Improvement of Trade, and the Imployment of the Poor.

And laſtly he preſſes both Houſes to a good Agreement and vigorous Reſolution; In all which, how far His Majeſty's deſires have been complied with, and his expectation anſwer'd, may beſt be ſeen by their own Votes, and His Majeſty's repeated expreſſions of Thanks in his Speeches, and Meſſages.

On the 14th, Mr Speaker reported His Majeſty's Speech, the conſideration of which was adjourn'd to the next day. However the Houſe, to give His Majeſty early and immediate Aſſurance of their Loyalty, and good Affection to his Perſon and a Government, came to the following Reſolution,

tion, and Order'd it to be preſented to His Majeſty by the whole Houſe.

Reſolv'd,

That this Houſe will ſtand by, and ſupport His Majeſty and his Government, and take ſuch effectual Meaſures as may beſt conduce to the Intereſt and Safety of England, *the Preſervation of the Proteſtant Religion, and the Peace of* Europe.

On the 17th the Houſe waited on His Majeſty with their Reſolntion; and His Majeſty, after having given 'em his Thanks, communicated to 'em a Tranſlation of a *Memorial* from the *Envoy Extraordinary* of the *States General*, and deſired their Advice and Aſſiſtance thereon.

This produc'd the next Day, upon the Report, an Addreſs to His Majeſty by the Members, that were of the Privy Council, That he wou'd pleaſe to cauſe the Treaty between *England* and the States General, of the 3d of *March*, One thouſand Six hundred and Seventy ſeven, and all the Renewals thereof ſince that time, to be laid before the Houſe.

And ont he 20th another to be preſented by the whole Houſe, to His Majeſty, *Nimine contradicente, That he wou'd pleaſe to enter into ſuch Negotiations, in Con-*

cert with the States General of the United Provinces, and other Potentates, as may most effectually conduce to the mutual Safety of these Kingdoms, *and the* States General, *and the Preservation of the Peace of* Europe. *And giving him Assurances of Support and Assistance, in performance of the Treaty made with the* States General, *the third of* March, *One thousand Six hundred and Seventy seven.*

This Address was accordingly presented the Day following, and His Majesty was pleas'd to make them the following Answer.

Gentlemen!

I Thank you heartily for the Advice You have given Me, and your Unanimous Resolution to Support and Assist Me in making good the Treaty mention'd in your Address; And I will immediately order my Ministers abroad, to enter into Negotiations in Concert with the States General, and other Potentates, for Attaining those great Ends, which You desire.

Nothing can more effectually conduce to our Security, than the Unanimity and Vigour, You have shewed on this Occasion; and I shall always endeavour on my Part to Preserve and Increase this Mutual Trust, and Confidence between us.

After

After theſe reciprocal Teſtimonies (which were frequently repeated during the whole courſe of this Seſſion) of the great and mutual Satisfaction and Confidence which the King and his Houſe of Commons had in each other, and the uninterrupted good underſtanding, that appears to have been all along preſerv'd betwixt 'em, it is juſt matter of Surprize to find any Party of Men ſo hardy, as to forget the Reverence due to the Collective Body of the People in their Repreſentatives, and not only to Arraign their Conduct out of Parliament, but to affront and contemn their Authority, and proceed to Inſolence and Menaces. It might perhaps be no impertinent Digreſſion to enquire here into the Motive that induced ſome Commoners to offer ſo unſeaſonable and ſo impolitick an affront to their own Authority. But that Enquiry will fall more naturally in hereafter, where perhaps it will appear how, and by what hands this Game was play'd, and for what Ends.

After the Houſe had given repeated Aſſurances to the King of their readineſs, and heartineſs to ſtand by and ſupport him in ſuch Leagues and Alliances as he ſhould think fit to make for the Intereſt and Secu-

rity of *England*, and our Allies, and the Peace of *Europe*, and on their parts effectually to do whatever ſhould be conducive to thoſe Ends, they proceeded to a particular conſideration of the ſeveral matters, that lay before 'em.

Among other Inconveniencies occaſioned by the unſeaſonable Advice of diſſolving the laſt Parliament, and delay of the Seſſion, which was the conſequence of it; One was that the allotted Time for Circulating Exchequer Bills was ſo near elaps'd, that the credit of thoſe Bills muſt neceſſarily ſink, unleſs ſome effectual remedy were provided, which the ſhortneſs of the Time ſeem'd not to allow. However ſuch Diligence, and diſpatch was uſed, that on the 26*th* of *February*, A Bill for renewing the Bills of Credit, commonly call'd Exchequer Bills, was brought into the Houſe, and on the 6th of *March* ſent up to the Lords, and on the 13*th* paſt the Royal Aſſent.

This Expedition in the Diſpatch of a Bill, which paſt Miſcarriages not only had rendred a neceſſary but heavy Incumbrance, ſhew'd their readineſs to ſupport the Credit of the Nation, even as to expedients, of which they cou'd not but regret the Load, and condemn their Authors. So ready were they to Sacrifice

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their juſt Indignation to the neceſſity of the Publick however occaſion'd.

The firſt things which the King recommended to their care, was to provide for the Succeſſion after himſelf, and her Royal Highneſs; wherein with an unexampled Generoſity he preſs'd 'em earneſtly, without ſo much as hinting whom he favour'd, to determine freely a matter, which the beſt of his Predeceſſors cou'd never endure to think of, tho' left to her own Nomination.

But His Majeſty knew the Importance of it to all *Europe*; he knew that *Great Britain* was the Head and the main Bulwark of the Reform'd Religion all the World over, with which the Civil Liberties of all *Proteſtant* Countries are ſo cloſely link'd, that one can't ſubſiſt without t'other. For whoever invades the former, will ſoon ſhew that the latter can't be ſafe under him. His Majeſty, who had all along experienc'd the Zeal and Abilities of his Parliaments, for His and their Countries Service, cou'd not doubt their care and concern on ſo great an Occaſion as this, and therefore caſt the whole weight of the Affair upon their Wiſdom and Integrity, in which he was not deceiv'd.

The Parliament, ſeeing the neceſſity of

going out of the Nation, and making a Tender of the Reverſion of our Crown to ſome Prince of Foreign Birth and Education, thought it highly requiſit to permit ſuch a farther Declaration of the Rights of the Subject, as might ſo qualifie their Preſent, that it might neither in preſent, nor futurity endanger their Conſtitution either in *Church*, or *State*. Before they proceeded therefore to the Nomination of a Succeſſor in Reverſion, they took care (as far as in Human foreſight lies) to provide againſt all Encroachments upon our Religious and Civil Rights. And this they thought neceſſary to be done before Nomination, that whatſoever Prince they ſhou'd make choice of, he might not think the conditions of his Acceptance any Argument of a Perſonal Diffidence, or Diſtruſt of his good, and juſt Aminiſtration, the Perſon being yet undetermin'd, and therefore conſequently no Argument to be drawn from his Perſonal Vices or Virtues for or againſt ſuch a Cautious way of Procedure, and the Conditions ſuch as all, that ſhall wear the Crown after him, for ever muſt ſubmit to.

The firſt Condition was, *That whoſoever ſhall hereafter come to the Poſſeſſion of this Crown, ſhall join in Communion with the*

the Church *of* England, *as by Law Eſtabliſh'd.*

Tho there be many Reform'd Churches abroad, yet they all of 'em differ ſo much either in Doctrine or Diſcipline, as not to agree very well with our Conſtitution. The *Lutheran* Churches approach ſomewhat too near the *Romiſh* Superſtition, in ſome points of Doctrine and Ceremony, to meet with a favourable Reception here. Beſides they are the growth of thoſe Countries only, where the ſeveral Soveraigns are arbitrary and deſpoical, where the People know no happineſs but what is contingent, and no way eſſential to their Government, owing to the Gracious Diſpoſition of their Prince, who may tyrannize if he pleaſes. And therefore their Clergy may by a People ſo jealous of their Liberties as We are, (perhaps not altogether unjuſtly) be ſuſpected of leaning too much towards the Prerogative, and indulging Soveraign Power too far. Nor is it unnatural to imagine, that any ſort of Men who have known Liberty only by Theory and Speculation, ſhou'd have very narrow Idea's of it, and probably diſreliſh the Exerciſe of it, when they ſhall find it the only Obſtacle to their Settlement here, the only Bar to their Grandeur

deur and Preferment. May We not likewiſe without any hard Inſinuations ſuppoſe them to be as ſtrongly perſwaded of the Truth of their own Opinions, and the Neceſſity of believing 'em to Salvation, as Zealous for the Propagation of 'em, as other Prieſts uſually are, and as deſirous of Reverence and Reſpect from the People, among whom they live, which they will not expect while they ſhall be look'd upon as Miniſters of falſe Worſhip, and Teachers of falſe Doctrines? If ſo; here is on one hand a fair Pretence, Compaſſion for an Erroneous People, and a Concern for the good of their Souls; On t'other here is a ſtrong Temptation, Rich Paſture, and a Fat Flock. Wou'd not ev'ry good Shepherd deſire to have the Folding of ſuch Sheep? Wou'd not theſe things, without entertaining any unkind thoughts of 'em, tempt any Perſons (not above meer Men) to ſollicit the Prince, whoſe Conſcience ſhou'd be under their Direction, to employ his Credit (if not his Authority) in their favour, to procure 'em ſuch Footing and Eſtabliſhment here, as might give them hopes of Advancing, and making a farther Progreſs? All Men are Opiniatres in matters of Religion; They think every Man ought to be

be of their Perſwaſion; and Princes are generally more fix'd in that Opinion, than other Men. They are flatter'd from their Infancy into a higher Conceit of their own Capacity to judge, and the better a Man thinks of his own Judgment, the more ſufficient he is in himſelf, and inſiſts the more rigorouſly on his own Notions; eſpecially Princes, who expect a great Deference ſhould be paid to their Opinions by their Subjects. Suppoſe then we ſhou'd at any time ſee upon our Throne a Prince of a different Perſwaſion from the National, a Prince who ſhou'd have other Hereditary Dominions, in which he was abſolute, wou'd it not be natural for him to wiſh for the ſame Power here? Wou'd not his Prieſts at leaſt wiſh, that their Opinions and Worſhip were introduc'd here? And wou'd not they attempt it as far as they durſt; that is, as far as they thought they could with Security to themſelves? Wou'd they not if any Diſguſt ſhou'd ariſe betwixt him and his People, even upon any check given to his Miniſters by Parliament, or their not complying with all that he might deſire; wou'd they not, I ſay, naturally inſinuate, that the Freedom ſo taken by the People, was Contumacy at leaſt, and that it was not ſo much

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the reſult of our natural Tempers, and civil Conſtitution, as of an erroneous Faith and Worſhip; and at the ſame time tell him that the ſlaviſh Submiſſion of his other Subjects was the genuine Product of a purer Faith, and ſounder Principles of Obedience, which their Church infus'd. How this wou'd work with a Weak, or an Ambitious Prince, a Tyrant or a Bigot, I leave any Conſidering Man to judge; or whether any thing but great Temper and Wiſdom in the Prince cou'd prevent its ending in the Ruin of Him or Us, if not of Both. Our Hiſtory affords but two Inſtances of Princes, that diſown'd the National Chnrch; and one of 'em ruin'd the Church, and the other himſelf. But I ſhall not enlarge upon theſe Precedents, becauſe they were both of the *Roman* Communion, whoſe Principles are in great meaſure deſtructive of any Civil Government, which is not a Tyranny, and which I hope we have for ever excluded our Throne.

I have choſen to argue upon Suppoſition of a *Lutheran* Prince, not that I think that Perſuaſion leſs inconſiſtent with our Civil Conſtitution than any other, the Church of *England*'s excepted; but becauſe I thought it might probably happen

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ſooner to be our Caſe. What I have ſaid on occaſion of that is equally, if not more applicable to any Congregation of Chriſtians, that own not the Church of *England*. *Calviniſm* is the only other Perſuaſion, that makes any conſiderable Figure, and is become the National Religion in many of the Weſtern parts of *Europe*; and differs not from us ſo much in Doctrine as in Diſcipline. But as it has been taught and practis'd in *England* and *Scotland* it ſeems almoſt abhorrent from our Civil Conſtitution, and next to Popery the leaſt conſiſtent with it. The Power which the Teachers of our Sectaries have uſurp'd over the Underſtanding and Conſciences of their ſeveral Congregations, amounts almoſt to implicite Faith, and were they united under one common Spiritual Head, wou'd be almoſt as dangerous to the Government and Civil Liberties of the People, as Popery. We have ſeen, what they have been able to effect, disjointed as they are, and how far under a Prince that joins in Communion with us, they have been able by the Favour and Aſſiſtance of a Miniſter or two, to get into their hands the Executive part of the Civil and Military Power of the Nation, by procuring the Gentlemen of

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the beſt Quality, Eſtates, and Reputation, to be turn'd out of the Commiſſions for the Lieutenancies and the Peace all over *England*, and themſelves to be put into their places, tho' deſtitute of all the Qualifications requiſite for ſuch Stations. How far this might have proceeded to the Subverſion of the Eſtabliſh'd Church, and in conſequence of the Government, if the LateHouſe of Commons had not ſtept in between them and danger, is no hard matter to judge. But the Miniſtry then were fortifying themſelves with a Party at all Hazards, and Expences to the Nation.

What has been ſaid may ſuffice to ſhew, that no Nation ought to truſt a Prince, who is not a Member of the National Church, and much leſs we, whoſe Prince muſt be the Sole Head and Governour of it, which wou'd be abſur'd if he were not a Member. But, however Paradoxical it may ſeem, A Prince is perhaps the only Perſon in his Dominions, who ſhou'd not be allow'd Liberty of Conſcience. Becauſe he is the only Perſon whoſe Perſuaſion, Countenance, and Example has ſo much Influeuce on the Publick, as to be of good or ill Conſequence to his People. This, I hope, is

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ſufficient to juſtifie the Parliament on this Article, and to ſhew that for the ſecurity of Religion every Prince ought to be of the National Church of his Country, which here is diſtinguiſht by the name of the Church of *England*; the Excellency of which I hope there is no occaſion to defend at this time of Day.

The ſecond Article was; *That in caſe the Crown, and Imperial Dignity of this Realm ſhall hereafter come to any Perſon not being a Native of this Kingdom of* England, *this Nation be not obliged to engage in any War for the Defence of any Dominions or Territories which do not belong to the Crown of* England, *without the Conſent of Parliament.*

It has been the peculiar happineſs of *England*, that ſince the *Norman* Conqueſt for near ſeven hundred Years, none of our Enemies have dar'd, or been able to invade us with any ſhew of Succeſs; unleſs we will call the Pilfering Incurſions of the *Scots*, Invaſions; which they durſt never attempt neither, but when our hands were employ'd in Civil Broils, or Foreign Wars, and have however been always ſeverely chaſtis'd for. For the coming over of the *Dauphin* of *France* above five hundred Years ago, when the

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Barons, who were at War with King *John*, invited him over, and the late Expedition of our moſt Glorious Soveraign King *William*, in defence of our Religion and Liberties, are not to be call'd Invaſions, becauſe they were undertaken as Friends, at the Solicitation, and in Defence of the Nobility and People oppreſs'd. For however the Inſolence and Misbehaviour of the *Dauphin* might ſhew him an Enemy, who came as a Friend, yet had his Conduct been as juſtifiable as his Call, he might perhaps have had the ſame ſucceſs, and met with the ſame grateful Acknowledgements, that our preſent Gracious Soveraign has ſo long ſince done for his generous Aſſiſtance, and honourable Treatment of us. Inſtead of which, as ſoon as he began to ſhew himelf without a Mask, he was ſent back with diſgrace, and made to know, that *England* valued not any Prince or Power, that came not honourably, and as a Friend. The only Invaſion that has been (I can't ſay made, but) attempted ſince *William* the Conqueror, was that of the *Spaniards*, by their Invincible Armada in the Year 1588, in the Reign of Queen *Elizabeth* of Glorious Memory. Mighty Preparations were made in *Spain*, and

and ſuch a Fleet fitted up for this Expedition, as the World had never ſeen before, great as their hopes and (in their own conceit at leaſt) invincible as their Pride; and which according to their vain conceit they Chriſten'd, *The Invincible Armada.* The Pope, who, Good Man, uſes to be very liberal of what is not his own, with his uſual Generoſity made King *Philip* a Donation of *England* and *Ireland*, beſides his Bleſſing upon the Armada, by way of Inſurance, and a Cruſado to forward the Work, and engage all good Catholicks to aſſiſt it. This ſo animated the *Spainards*, that they look'd upon themſelves as going only to take quiet Poſſeſſion; ſo little did they think us able to oppoſe 'em. But the good Fortune of Queen *Elizabeth*, which never forſook her; and the Valour, Conduct, and Induſtry of that Matchleſs Seaman Sir *Francis Drake*, her Admiral, ſoon abated their Preſumption. Sir *Francis* with a ſmall Fleet, Burnt, Sunk and Took moſt of their Armada; ſo that of One hundred and thirty two, ſcarce Fifty Veſſels, and hardly half their Men eſcap'd; an Action not to be parallell'd in the Hiſtory of any Age, or Nation.

Such Wonders cou'd the Courage of the *Engliſh* Seamen perform in the days of that Famous Queen, which made her the Scourge and Terrour of *Spain*, the Glory of her own Country, and the Protectreſs of her diſtreſſed Neighbours. And ſuch we may expect again, when we ſhall ſee our Fleets ſpirited and led on by ſuch active and daring Commanders. In this one Attempt expir'd the whole Naval Force of *Spain*, which till then was the Terror of the Univerſe; and, exhauſted on that occaſion, has never been able to lift up its Head ſince; and with it the *Spaniſh* Monarchy has declin'd, and droop'd, and haſten'd towards its final Diſſolution, which perhaps may not be far off; and may (if God give us underſtanding to make a right Uſe of the preſent Conjuncture) peradventure help to cruſh its proud Neighbour in its fall.

I have inſiſted on this memorable, tho' well known Story the longer, becauſe 'tis the only Inſtance in all Our Hiſtory of an Invaſion attempted upon *England*, and the moſt remarkable one of what we are able to do in that Element upon an extraordinary Occaſion; tho' we want not many others that might be cited to our Honour,

Honour, were it proper to this Place. However I can't but take notice of one thing here, which is, that this and all our other extraordinary Succeſſes at Sea have been owing to that bold daring Spirit, which the Commanders (Men of tried Courage) ſhew'd on the ſeveral Occaſions, thereby animating and Firing their Men by their own Examples to perform things beyond Expectation, almoſt beyond Expreſſion. Whereas during the late War we ſeem to have fallen into quite contrary Meaſures, and by a lazy, unactive Adminiſtration of our Naval Affairs, to have diſpirited our Seamen, and diſſatisfied the People with the vaſt Expence of maintaining a great Fleet to do nothing; eſpecially when they ſee ſome Officers without Hazard, Fatigue, or Action, raiſe Eſtates in eight or ten Years time, ten times greater, than that Great Admiral before mention'd, after Labours and Perils inconceivable, Succeſſes and Services innumerable and unvaluable, and a long uninterrupted courſe of his Prince's well earn'd Favour left behind him. But the Age is grown wiſer, there are nearer and ſafer ways to Wealth and Honour. Men ſail now adays to Preferment without the Compaſs,

and riſe to Commands by other Arts, than thoſe boiſt'rous deſtructive ones of Burning and Sinking, in which a Man gets a Miſchief himſelf ſometimes. Ships are not to be courted as heretofore with Guns and Bullets, as ſome of thoſe Old-faſhion'd rough Fellows have experienc'd, who have loſt theirs (tho' not to the *French*) by delighting too much in that inharmonious loud Muſick. This is a refin'd Age, and Sea-Service is grown nice; a Gentleman may put himſelf into it without being a Sloven, and defiling himſelf with Pitch and Tar, or ſtinking of Gunpowder; when *Pulvil* is ſo much more comfortable, and Familiar a ſmell. In ſhort our Sea Officers are become the very Pinks of Courteſie; all their Conduct is ſo neat and ſo inoffenſive, that a little Improvement in their Dancing wou'd make the Command of a Fleet a pretty, innocent Employment for our Ladies.

But to return to our Subject; Tho' we have been ſo quiet and undiſturb'd at home, we have not been ſo happy in the maintenance of our Poſſeſſions abroad; to maintain which, the Sword was in a manner conſtantly drawn for near four hundred Years; till at laſt we were ſtript of all by thoſe, whom we vanquiſh'd almoſt

moſt as often as we fought, and loſt *Normandy*, *Aquitain* and *Guienne* to Enemies, whom we had conquer'd more than once, and reduced to the Condition of a Province. Nor are we perhaps to eſteem ourſelves the weaker for that loſs. For tho thoſe Provinces were rich and populous, yet were they no acceſſion of Strength to our Crown, but on the contrary a continual Charge, a Drain to our Treaſury, and a Burying Place to our braveſt Men, by which we gain'd nothing but an opportunity of ſhewing the Valour and Bravery of our Men. So hard it is for a Prince or State to keep Poſſeſſion of a Country never ſo little diſjoyn'd from the main Dominions, unleſs they will conſtantly maintain a Standing Force ſuperiour, or at leaſt equal to that of any of their Neighbours.

The Parliament therefore had reaſon, ſince they did apprehend, that this Nation might at one time or other ſee on the Throne a Prince, who had Foreign Dominions independant on this Crown, and far remote from us, divided not only by Seas, but by the interpoſition of the Dominions of ſeveral Princes, to provide againſt the inconveniencies, which they foreſaw might naturally follow to *England*

from thence, and by a timely precaution to take care, that for the future her Blood and Treaſure ſhall be expended only for her Defence and Service.

Nor is it inſinuating any unkind Jealouſy to ſay, that ſuch a King may, nay and in ſome reſpects muſt have Intereſts ſeparate from thoſe of this Nation whereof he is head, and which may upon ſome occaſions be contrary. His Subjects abroad will juſtly claim an equal ſhare of his Princely Affection, and Tenderneſs. Their occaſions may perhaps call for our Aſſiſtance, when our Intereſt may require us to be Neuters, which yet their Prince cou'd not deny 'em, were it a matter abſolutely in his diſpoſal. And therefore it is but reaſonable, that his hands ſhou'd be ſo far bound, as not to diſpoſe of us and what is ours to our own hurt.

Doubting is the Foundation of all humane Prudence, and therefore without Diſreſpect, or Injury to any Prince, to whoſe Lot our Crown ſhall hereafter fall, we may be allow'd to carry our Suppoſition a little farther. Suppoſe then, that the Acceſſion of *Great Britain* and *Ireland* to his other Dominions ſhou'd raiſe the Ambition of our Prince, and prompt him to aſpire (for example) in *Germany* to the

the *Empire*, and to employ our Wealth and Power to procure it; or to make ſuch other Conqueſts and Acquiſitions upon his Neighbours, and he ſhou'd ſucceed in his Attempts. The Conſequence of this wou'd be, that, when he had acquir'd to himſelf a larger, add to that, a more abſolute *Empire* abroad, than that of theſe Kingdoms, he wou'd fix his Reſidence there, and leave us to be govern'd by a Viceroy, and perhaps a Foreign Army to ſecure our Obedience, and we be made the Inſtruments of our own Slavery, or at leaſt of depriving our ſelves of the Benefit of our King's Preſence among Us. But this may be further conſider'd under Another head.

The third Condition is; *That no Perſon who ſhall hereafter come to the Poſſeſſion of the Crown, ſhall go out of the Dominions of* England, Scotland, *or* Ireland, *without Conſent of Parliament.*

This Condition, tho never before formally paſs'd into an expreſs Law, has been always neceſſary, and always ſuppos'd; and accordingly the firſt Inſtance of that kind (except in times of Uſurpation or Rebellion, when Neceſſity was a ſufficient Diſpenſation) the late King's leaving his Dominions without the Con-

ſent of his People, was adjudg'd in Parliament to be an actual Abdication of the Government. The Diſputes, that aroſe on that occaſion, as they naturally will in all Caſes great and new, are ſufficient Reaſon, why the Ground of 'em ſhou'd for the future be taken away by a Poſitive Law; which I hope is hereby ſo effectually done, that *England* ſhallnever ſee a ſecond Occaſion for ſuch a Deciſion.

It may perhaps be objected, That till now there was no expreſs Statute requiring ſuch Conſent, nor any Examples of our Kings asking ſolemn leave of the Parliaments to go in Perſon out of the Land; yet that divers of 'em have made Foreign Expeditions and Voyages, without being queſtion'd for it by their Parliaments, either during their Abſence, or at their Return.

But to this it may be Anſwer'd, That in the Reign of *Edward* the Second, the *Barons* in the Preamble of an Ordinance by them made by Authority from the King, under the Great Seal, ſeem to declare, That it was already the Law, that the King ought not to quit the Realm without the Aſſent of his Barons.

Now tho' that Ordinance was afterwards repeal'd by Parliament, for other Reaſons not pertinent this place, yet what

what was Law before the making of that Ordinance, did not ceaſe to be ſo after the repealing of it, tho' it ceas'd to be any longer ſo upon the Authority of that Ordinance. As for the Inſtances, it is confeſs'd, That our Kings did not formally ask leave of their Parliaments to go out of the Land, but they us'd to communicate their Intentions, and to adviſe with 'em thereupon, which was *tantamount*; and there is no Precedent of any one of 'em, that did go out of the Realm contrary to the known Senſe and Inclinations of his People, till the late unhappy King firſt ventur'd to make one, and to bring that Point to a Judgment, which had been doubtful only for want of a Caſe to bring it to a Trial upon.

But whatever there has been formerly, there is now undoubted occaſion for ſuch a Law. We are under apprehenſions of a failure in our Royal Line, and a neceſſity of calling to our Succeſſion (if that ſhou'd happen) Princes, who have great Dominions, Alliances, and Expectations abroad, where their Power is more Abſolute, and Uncontroulable, which may invite 'em to take up their Reſidence longer in thoſe Parts, than may be conſiſtent with the Intereſt and good Government

vernment of *England*. Beſides the accidental Temptations, hinted in the preceding Article, which may ariſe from an ambitious Prince's own Acquiſitions, Devolutions of Right, and other poſſible Avocations, may induce a Prince of Foreign Extraction, and that has large Dominions in another Land, to prefer ſome other part of his Territories for his ordinary Reſidence to *England*; whereby not only vaſt Treaſures wou'd be conſtantly convey'd out of the Nation, but our Nobility and Gentry wou'd be tempted from home, and by Compliance with the Faſhions of the Court, which they wou'd follow for Preferment, by degrees be tinctur'd with Principles, and habituated to Cuſtoms different from thoſe of their own Country, which might in time endanger the overthrow of our Conſtitution. It wou'd be in vain to think of remedying theſe Evils, if ever they ſhou'd approach us near, and the danger ſhou'd threaten us immediately, and therefore the Parliament have given us a great Inſtance of their Wiſdom, and prudent Foreſight in nipping thoſe Buds, which they foreſaw they ſhou'd hardly be able to reach when full blown.

The next is, *That from and after the time*

time that the further Limitation by this Act ſhall take effect, all matters and things relating to the well governing of this Kingdom, which are properly Cognizable in the Privy Council, by the Laws and Cuſtoms of this Realm, ſhall be tranſacted there, and all Reſolutions taken thereupon, ſhall be Sign'd by ſuch of the Privy Council as ſhall Adviſe and Conſent to the ſame.

This is a Law that had been long wanting, and perhaps that want has been the greateſt Defect in our Conſtitution, and the occaſion of almoſt all the Publick Diſorders for this laſt Hundred Years. Our Laws have indeed always made the Miniſters accountable for the Advice they gave, and puniſhable if it were evil. But the Difficulty has been, when evil Council has been given, to diſcover the Giver. There has been abundance of ill Advice given, even of late, but there are no Adviſers to be found. When the Council is Condemn'd, every Councellour diſclaims it; when 'tis Applauded, all confidently value themſelves upon it, as their own. When any of 'em are purſued, they take cover under the Throne; and the Reverence we pay to that, uſually avoids the Juſtice we owe to them: Thus all Miſcarriages become the King's,

and

and all Services the Miniſters; and by an odd ſort of Partition-Treaty the Loſs and Odium are to be the Share of the Crown, and the Profit and Thanks are to be the Miniſters. This is indeed no new Trick, it has been the Play for ſeveral Reigns, and has coſt one King his Head, and another his Crown, and brought the Nation it ſelf to the very brink of Ruine, which only God's Providence, and his preſent Majeſty, with the Expence of many Millions to us, have prevented our falling into. And yet the Game was not given over; they that had not perhaps Capacity to invent it, had however either the Skill or Opportunity to play it to more Advantage to themſelves, than they that did. A Cully Nation was a Booty rich enough to tempt the faireſt Gameſters to turn Sharpers, and accordingly ſhe has been cheated by her demure Friends, that uſed to rail ſo ſoberly at the foul play of others; they are come to play Booty themſelves, and to throw the blame on him that only held the Cards, and had no other fault than too great a Confidence in their Integrity, and too high an Opinion of their Skill.

This Game has been ſo long, and ſo openly play'd, that the forbearance of the Nation

Nation has been interpreted Stupidity, not Patience; and the Gameſters have ſeen us look on ſo long and ſo tamely, that they and their under Rooks begin to Bully us, and inſolently tell us, *We have no Right to intermeddle with their Play.* They are miſtaken however, the Concern is National, and there is no Spectator ſo unconcern'd, as not to have ſome ſhare in the Stake, and conſequently a Title to examine the Dice, and overlook the Play; nor have we yet ſo little Senſe as not to know it, or ſo little Courage as not to aſſert it. We have loſt ſo much by Shuffling and Packing, that 'tis high time not only to call the Sharpers to Account, but to take effectual care that e'ry one ſhall deal above-board for the future.

This ſort of Ambidexterity has frequently been complained of and proſecuted in Parliament, where ſuch Practices have always been condemn'd as pernicious and abominable, and the Proceſs almoſt as often let drop. Betwixt the Credit and Intrigue of the Accus'd, the Perplexities of Form, and Difficulty of Adjuſting Pretenſions, and the Facility of obſtructing an Enquiry into theſe ſecret Tranſactions, where all that are privy,

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are in ſome meaſure Partakers of the Guilt, except thoſe whom Reverence forbids us to interrogate as Evidence, it has been hard to bring any one to Judgment, to Puniſhment much harder. From theſe Impediments it has happen'd, that in many caſes of this Nature, the whole Nation has been Convinc'd, yet no one Convicted; and tho' the Crimes have been notorious, yet the Evidence has generally been deficient. It has not therefore been for want of Power to puniſh ſuch Miſdemeanours, that they have ſo generally paſs'd unpuniſh'd, but for want of ſuch proper Methods of Detection, as might ſuffice formally to convict Offenders in a Judicial Way, and not be liable to be defeated by the Artifices and Machinations of Subtile, Malicious Men; without which no exemplary Juſtice can ever be done.

The Parliament therefore being ſatisfied, that a full and incorrupt *Engliſh* Council will always conſult the Honour of the King, and real Good and Welfare of his People, and that thoſe Steps that have in any Reign been made contrary to either, have been in purſuance of meaſures taken in private Cabals, and not in open and full Council, have wiſely thought

thought fit to put a ſtop to thoſe growing Evils, the Effects of which in future Reigns they ſaw great Reaſon to apprehend, unleſs prevented; and with a Foreſight and Providence becoming ſo Auguſt and Venerable an Aſſembly, have provided a Remedy for Poſterity, which themſelves and their Forefathers ſeverely experienc'd the want of. It is to be hoped, that when all Matters ſhall be fairly and freely debated in full Council, and every Member of the Council ſhall be oblig'd to avow under his Hand the Advice that he ſhall give, or approve, we ſhall have no more Violent or Inſincere Counſels given; or if ſuch ſhall at any time hereafter prevail, if we ſhall again hear of Money levied without the Authority of Parliament, Exchequer ſhut up, *Quo Warranto*'s, Diſpenſing Powers, Standing Armies, Regulations, Partition Treaties, and the like, 'twill be no hard matter to trace and reach ſuch Adviſers, and bring 'em to Exemplary Puniſhment.

If any thing be to be objected againſt the Parliament, upon the Score of this Law, 'tis that they have provided better for Poſterity than themſelves, and contrived a good Law to commence hereafter,

ter, of which we have preſent Neceſſity. It is the common Fate of all Courts to draw to 'em Men of no Principles, who deſign to Enrich and Advance themſelves at any rate, and come thither as the proper Stage to practice their parts upon. Theſe Men by their cloſe Attendance, ſubtle Inſinuations, officious Services, and pretended Zeal and Affection for the Perſon and Intereſts of the Prince, have ſometimes ſucceeded to a Miracle. For as deſigning Men are oblig'd to be more careful of their outward Appearances, than honeſt ones, who fear no enquiry into their Actions, they have play'd their parts ſo well, that the Hypocrite has out-acted the real Saint; and they have ſo far wriggled themſelves into the Favour of the Prince, that they have found Credit enough to remove, by falſe Suggeſtions, and whiſper'd Jealouſies, from about his Perſon, and from his Confidence, all thoſe whom they ſuſpected of Underſtanding, Integrity, and Courage enough to detect and oppoſe their Practices. By theſe Arts of Sycophantizing and Slander, they have found means to fill almoſt all the Great Places, that give immediate Admiſſion to the Kings Perſon and Council, themſelves

ſelves, or by their Confederates and Creatures, or to make thoſe ſuch that were poſſoſs'd of 'em before, for fear of being ſupplanted by 'em.

By theſe Arts were thoſe Cabals firſt introduc'd and eſtabliſh'd, which have been ſince dignified by the Name of *Cabinet Councils*, a Monſter unknown to our Antient Conſtituſtion, which nevertheleſs ſtares us now as boldly in the Face, as if it were an Eſſential Part of it. In theſe Cabals have all thoſe pernicious Councils been hatch'd, which in the late Reigns ſo alienated the Affections of the People from their Kings, and kindled ſuch Heart-burnings, ſuch Flames of Diſſention among themſelves, that 'tis doubtful whether they can ever with ſafety be extinguiſh'd. The Privy Council were at firſt inſtituted to be aſſiſtant to, and adviſe the King in the Adminiſtration of his Government, according to the Laws of this Realm, in the Intervals of Parliament, and during their Seſſion in matters of leſs Moment and Conſequence, with which it was not neceſſary to trouble the whole Body of our Repreſentatives; but in things of great and publick Importance they were conſulted. This Council conſiſted of the Lords and great

Officers of the Court, the largeneſs of whoſe Eſtates was a ſort of Security againſt Venality and Corruption, a kind of Aſſurance that they ſhou'd not betray, or give up thoſe Rights in which themſelves had ſo great an Intereſt. Or if any of 'em ſhou'd ſo far proſtitute himſelf to the hopes of Favour and Advancement, as to adviſe any Encroachments on the Liberty of the People, the Number and Dignity of the reſt was ſufficient to awe and oppoſe him. Accordingly in antient times when any Infraction of the Civil Rights of the Subject was made, the Lords did frequently by their own Authority and Power give a check to ſuch Practices, and oblige the King to remove ſuch evil Councellors from about his Perſon.

But ſince the Reign of Cabinet Councils, the Authority and Credit of the Privy-Council has ſunk extreamly both with King and People. All things have been manag'd in Cabal, and Privy-Councils ſerv'd for little more than to give a ſort of Publick Sanction to what was reſolv'd and concluded on by a few in private, and moſt of thoſe that were to make the Order were not admitted to the Debate. Men of ſmall fortunes and leſs Experience,

ence, have been taken into the Miniſtry and Cabinet, who were to make their Fortunes by Compliance, and that Slaviſh Obſequiouſneſs has been thought a Reaſon for, which ought to have been a Bar to their Promotion. By this means we have ſeen Men come to lead Parties, and purchaſe Numbers of Votes in a Houſe, who had not of their own wherewith to entitle 'em to Vote in Election out of it. From the advice of theſe Men Places and Penſions have been made a ſort of Appanage to the Repreſentation of e'ry little Burrough; and Stockjobbing of Votes, as well as other things, has been introduc'd. Men have thought it worth their while to buy, ſince they had ſo good a Market to ſell at. By theſe Cabals were our Princes taught to ſlight or neglect the Advice of their Parliaments, and inur'd to hear without notice the Murmurs and Complaints of their People. By theſe were the great and frequent Changes made in the Commiſſions of the Peace and Lieutenancy, and Gentlemen of the greateſt Eſtates, Quality and Worth, turn'd out to make room for Fellows of no Figure, Fortune or Reputation, that wou'd ſerve a particular turn. By theſe were Matters of the laſt importance to

the Nation tranſacted in a Clandeſtine manner, without conſulting the Parliament, tho' ſitting. And by theſe were Parliaments Prorogued and Diſſolv'd, when there was an extream Neceſſity of their Advice and Aſſiſtance.

But theſe and a thouſand other Grievances will be redreſs'd, when this Act ſhall take place, and the Nation will be enabled to judge better of the Merits and Abilities of all that are employ'd in her Service, and conſequently to appoint 'em Poſts and Employments more properly, and diſtribute Rewards and Puniſhments with more exactneſs; which is the true Spring and Hinge of Government. Nor does it miniſter leſs Encouragement to thoſe that ſhall ſerve the Government faithfully, than Terror and Awe to thoſe that ſhall enter the Publick Service for their own private Ends and Advantages only. For thereby every Man will be made to ſtand upon his own Legs, and be accountable for no publick Miſcarriages and Miſmanagements, but thoſe which himſelf by his Advice or Aſſiſtance ſhall have promoted or contributed to. The Publick will grow Luſty and Vigorous again, leave off Spectacles, and ſee with its own Eyes. A few will

not

not have the Power of Arbitrary Repreſentation, and transferring Merit or Blame as they pleaſe. The Power of the Keys will be taken from 'em, they ſhall no longer admit or exclude at will, and Pardons, Merits or Indulgences, will become as unſaleable a Commodity in the Court, as the Church. But theſe are to be the Bleſſings of future Reigns; at preſent the Wiſdom and Juſtice of the King, and our own Vigilance muſt be our Security. However, Poſterity have great Obligations to the late Parliament, who have made ſuch a Proviſion for 'em, and taken off the Odium of the Caution from them that are to reap the Benefit of it. And we have great reaſon to think, that they who have been ſo careful to make a Fence about the Liberties of thoſe that are to come after 'em, wou'd be no leſs watchful and ſollicitous to preſerve their own, did they not know themſelves ſecure under the Protection of His Majeſty.

Of no leſs Importance and Conſequence is the following Clauſe of the ſame Act, which provides,

That after the ſaid Limitation ſhall take effect, as aforeſaid, no Perſon Born out of

the Kingdom of England, Scotland, *or* Ireland, *or the Dominions thereunto belonging (although he be Naturalized, or made a Denizen (except ſuch as are born of* Engliſh *Parents) ſhall be capable to be of the* Privy Council, *or a Member of either* Houſe of Parliament, *or to enjoy any* Office *or* Place of Truſt, *either* Civil *or* Military, *or to have any* Grant of Lands, Tenements, *or* Hereditaments *from the* Crown *to Himſelf, or to any others in Truſt for him.*

The little experience we have had has taught us not to depend too much on the Affections, or to relie on the Counſel of Foreigners. How ſtrong ſoever we may fancy the Obligations we lay upon 'em to be, they are, and look upon themſelves but as Sojourners here, and will remain no longer among us, than till terms of Security or Advantage ſhall invite 'em to return home, and perhaps to carry with 'em the ſpoyls of a too Hoſpitable Country. Our Hiſtory does not indeed afford us many inſtances of this kind; becauſe ſuch has been the Prudence of our Forefathers, few Foreigners have arrived at any Degree of Civil Power in this Nation, till very lately, (ſince the *Normans* made themſelves at once Maſters of the Soil and People) tho' it has been always

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open as a Sanctuary to the Oppreſſed of all Nations. Yet we are not quite without an Example, and that a very freſh one too; when a Perſon whoſe Merit or Services to this Nation, no Man cou'd ever yet diſcover, ſhall have been thro' our fooliſh Indulgence or Connivance ſuffered to enjoy Places of the greateſt Honour, Truſt and Profit, and admitted to the higheſt Dignities and Privileges both in his own Perſon, and for his Family, encumber'd with vaſt Salaries and Perquiſites, and loaden with private Bounties and Grants, which notwithſtanding a conſtant Contempt ſhewn for the Nation, flow'd in perpetually for ſome Years upon him, yet thought not fit to truſt this Nation with the Protection of that Wealth, which thro' her Favour, and at her Expence he had gather'd, but converting into Money her Palaces, Royalties, Lands and Tenements, has convey'd into another Land a greater Eſtate than any of her Antient and Genuine Nobility enjoy at home, and notwithſtanding he has procur'd for himſelf and his Poſterity, a Place among our Nobility for ever, yet out of more than half a Million gotten here, has not left enough in the Land to entitle any of his Deſcen-

dants to the Dignity of a High Conſtable. If this as a ſingle Inſtance ſhall not be thought ſufficient, we need not look very far to ſee Palaces riſing abroad at our Charge, becoming the Majeſty of the greateſt Kings, and far above the Dignity of Private Subjects, for whom they are built; of which I ſhall take no other notice, than that theſe things being done in the very dawning of ſome Men's glorious Days, are no good Arguments of their Intentions to ſettle and perpetuate themſelves among us, however ambitious they may ſeem of Titles and Dignities here; but on the contrary, they are ſufficient Indications, that theſe Men preſume, where-ever their Sun riſes, that it will ſet there.

Experience (ſays the Proverb) *is the Miſtreſs of Fools*; and therefore Wiſe Men will take warning by a very few Examples. Thoſe that ſtay for more, may probably loſe the opportunity of profiting by 'em when they have 'em. It is an Obſervation in Politicks as well as Husbandry, *That the barren Suckers draw more from the Stock, than the Fruitful Branches*; and therefore wiſe States take care, and prune 'em betimes. If then it ſhall appear, that all Foreign Grafts upon

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the Miniſtry in *England*, have been of the Nature of thoſe Suckers, that ſerve only to impoveriſh the Stock; and if it may be demonſtrated from Reaſon, that they will in probability ever be ſo, not only here, but in all Free States, I ſuppoſe it will readily be granted, That it is better to hinder their being grafted, than after they are as it were concorporated, and are well grown, to tear 'em off by Violence, which may endanger the main Trunk, and is the very Caſe this Clauſe provides againſt.

The firſt King that admitted Foreigners into his Councils, and ſuffer'd himſelf to be Advis'd by 'em in the Adminiſtration of the Civil Government, was *Henry* the Third. He had brought over with him from *France*, a great Number of *Poictouvins*, to gratifie whom, by the Advice of *Hugh de Rupibus*, Biſhop of *Wincheſter*, and *Peter de Rivalis*, both Foreigners, he takes an unjuſt occaſion to quarrel with all his Nobles and great Officers at once, proceeding againſt ſome by Fine and Confiſcation, and removing all in general from his Councils, and from their Poſts, which he fills with Strangers. The Lords hereupon Confederate, they refuſe to come to Parliament,

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they require him to remove the Biſhop of *Wincheſter* and the *Poictouvins* from Court, and threaten that unleſs he complied with 'em herein, they would by force drive both him and them out of the Land, and make a new King. Theſe Troubles had after two Years a ſhort reſpite; the King's Neceſſities forcing him to comply, and to remove all *Strangers* from about him. But this was a violent Remedy, and its Operation but of little continuance. No ſooner was the ſhaking Fit over, but the hot Fit for *Strangers* returned, and with it they. Want, the conſtant Attendant on ſuch Gueſts, follow'd his Strangers cloſe at the Heels, and the King with Oaths and Solemn promiſes of uſing only the Counſel of his *Natural* Subjects, never to violate their Liberties, nor to injure the Nobility, prevails once more upon his Parliament to relieve his Neceſſities. A Subſidy is granted, but ſo, as that it be lodg'd in the Hands of Perſons appointed by Parliament to receive it, and to reſtore it to the reſpective Counties whence it was collected, in caſe the Conditions ſtipulated were not performed. The King ſeizes the Money rais'd, links himſelf yet more cloſely to his *Foreigners*, and neglects his Promiſes to his People.

People. By theſe Breaches of Promiſe, and his giving himſelf up to the *Counſels* of *Strangers*, he ſo loſt his *Credit*, and the *Hearts* of his Subjects, that his whole Reign, which was the longeſt of any King's of *England*, was a perpetual Scene of *Diſcord*, *Rapine*, *Poverty*, *Profuſion*, *Wants*, *Taxes*, *Cravings*, *Repulſes*, *Beggery* and *Shame*, in all which the King was either *Actor*, or *Object*, and *alternately* both; till at laſt, when heaping *Biſhopricks*, *Earldoms*, *Lordſhips*, *Honours*, *Royalties*, *Offices*, and all ſorts of preferments on his *Creatures*, he had *ſpoil'd* his *Subjects*, *ſquander'd* his *Treaſures*, *waſted* his *Revenues*, and to compleat all, and gratifie their inſatiate Avarice, ſold his *Plate* and *Jewels*, and the *Dukedom* of *Normandy*; the *Earldoms* of *Anjou*, *Tourain*, and *Main*; and reduced himſelf ſo low, that he was forc'd to *beg* for his Subſiſtance; he was *deſpis'd* by thoſe he had *rais'd*, & *hated* by thoſe he had *oppreſt*, to that degree, that *Simon Mountfort*, one of thoſe *Foreigners*, whom he had foſter'd, upon a private Diſguſt had the Inſolence to give him the Lye to his Face, and to threaten him in a ſcandalous manner publickly before the Lords, and was protected by 'em. Thus this King by adhering to the

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Advice of *Foreigners* protracted a Long, Troubleſom, Inglorious Reign of *Injuſtice*, *Want* and *Diſgrace*; and tho' he left his Subjects at laſt better ſecur'd in their Rights and Liberties by *Magna Charta*, and *Charta de Foreſtis*, than ever they had been before, yet died unthank'd and unlamented.

Edward the *Second* neglecting the better Example, and Advice of his Father, and trod directly in the Steps of his Grandfather, but with worſe Fortune. Immediately upon his Acceſſion to the Throne, he recalls *Pierce Gaveſton*, whom his Father had Baniſh'd. To him the King reſigns himſelf to be govern'd wholly by his pleaſure. But *Gaveſton* grown wanton with his Authority, by Rapacious Avarice ſoon diſtreſs'd the King, and by his Inſolence ſo provok'd the Lords, that Confederating they oblig'd the King to Baniſh him, and *all Strangers* the Court. *Gaveſton* was ſent into *Ireland*, but ſoon recall'd by the King, who could not bear his Abſence. But returning as well to his former Inſolence and Extravagance, as to his Maſter, and draining the King of the neceſſary Supports of himſelf and the Queen, tho he had ſtrengthen'd himſelf by a Match with the Si-

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ſter of the Earl of *Glouceſter*, the Darling of the People, he was again, by the Lords, driven into Exile, not to return any more on pain of being treated as an Enemy; which he venturing to do, was taken by the Lords, and had his Head accordingly cut off. He was the Son of a *French* Gentleman, and a ſort of Foſter Brother to the King, being bred up with him, had divers extraordinary good Qualities; his Faults were *abuſing* the *Kings Favour* in *converting* his *Treaſures* to the Support of his own Riotous Cravings, and infuſing into the King an *Averſion* for his *Engliſh Nobility*, the evil effects of which expir'd not with him. The Impreſſions which he had made on the King, laſted during his Reign; and tho the finiſhing was reſerv'd for others, the Fonndation of all thoſe Evils which enſued, were laid by him, which in the end coſt the King his Crown and Life.

Theſe are the only Kings of *England* ſince the Conqueſt, who have been ſo unhappy, as to place their Affections and Confidence in *Foreigners*. And the Troubles and Misfortunes of their Reigns may be a ſufficient Leſſon to thoſe, who are only to be inſtructed by Example, how dangerous it is to admit *Strangers* into

into the *Miniſtry*, and *Councils* of a free Nation. As for thoſe that are born with Saddles on their Backs, 'tis no great matter who beſtrides 'em.

But Hiſtory can only inform us what has been, and that not always with certainty in the particulars of the Facts themſelves, much leſs in the ſecret Cauſes and Springs of Action. Reaſon will carry us much farther, and we may in ſome meaſure penetrate into what's to come. And tho the wiſeſt Mortals will and muſt fail frequently in their Conjectures about particular Events, many Circumſtances being meerly contingent, or abſolutely hidden from humane Foreſight; yet in generals we may proceed with ſurer Steps, and arrive almoſt at Moral Certainty; at leaſt ſo much of it, as may ſuffice to frame Rules, which with the proper Exceptions, which e'ry Wiſe Man's own Prudence will on occaſion ſuggeſt to him, may ſerve for the Conduct of Life.

The Contrivers therefore of this Law, joining juſt Reaſoning to Experience, have thought fit to exclude *Strangers* from having any Share in the *Adminiſtration* of the *Government* of *England*. Not that they doubted whether other

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Countries cou'd produce Men of as great Wiſdom and Integrity, and as fit to rule States, as their own; But becauſe they knew, that ſuch Perſons were, of all Men, leaſt likely to want Employment at home, or to offer their Service abroad, without a lawful Call; and becauſe they cou'd not have that Experience, or Aſſurance of the Fidelity and Integrity of *Aliens*, that they may have of their Natives, they thought it ſafer to want the Service of many good Men, than to run the hazard of one bad one. Not but that it may be our Fortune to make choice of ſome ſuch from among our own People. But neither is the hazard altogether ſo great, nor are their Errors or Faults likely to be of ſuch dangerous Conſequence to a Nation, as thoſe of *Strangers*. The innate Love which Men are obſerved to have for their own Country, is a Security for the Native, that he ſhall always conſult the Intereſt of his Country: when it interferes not with his own particular, at leaſt in preference to the Intereſts of any other Country; a Security which an *Alien* can't give. The Habitude of Cuſtoms, Manners, Forms, and Opinions (natural Affection apart) make Life more eaſie and comfortable to 'em

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in a Country where by Education theſe are become Familiar, and in a manner Natural; than where to conform themſelves to the Figure and Faſhions of the Place, they muſt put a force upon themſelves, and live in perpetual Conſtraint, and appear like ill Players, always Acting a Part that does not fit 'em. Beſides, the Engagements of Intereſt, Relation, and Friendſhip, are ſo many Obligations upon a Native to acquit himſelf ſo, as not to forfeit the Benefit of all theſe Conveniences; whereas a Stranger may upon any Diſguſt or Apprehenſion of Danger, remove with as much Facility, as he came, and live in as much Comfort any where elſe.

The uſual Reaſons why Men quit their own Country to ſettle in a ſtrange Land, are *Protection* of *Perſon*, or *Improvement* of *Fortune*. Now either of theſe is a juſt Bar to the admiſſion of ſuch Perſons into the *Councils* of the Nation. For if they flie their Country, they do it either as *Criminals*, or as *Perſons oppreſs'd*. As the firſt, 'tis a Queſtion, Whether we ought to protect 'em or not? And nothing can fairly excuſe our ſo doing, but our not being oblig'd to enter into the Merits of their Cauſe. But we muſt be mad,

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mad, if we entruſt thoſe with our moſt important Affairs, who come hither only becauſe their Honeſty is ſuſpected at home. As the latter, Humanity obliges us to receive 'em kindly, but Prudence forbids us to take thoſe into the *Adminiſtration* of our *Publick Affairs*, who come *Strangers* to the *Laws*, *Policy*, and *Conſtitution* of our Nation, inſtituted and educated under a different ſort of Government, and Civil Diſcipline; and perhaps habituated ſo as to think themſelves happy in a moderate degree of *Slavery*, and aw'd ſo as not to dare to aſſert the *Right* of *Subjects*, as upon juſt Occaſions, *Miniſters* ought. Beſides, Experience has taught us, That ſuch Perſons are always ready to receive Propoſals of returning home, and therefore we muſt expect to be deſerted, when ever their Natural Prince ſhall think fit to invite 'em back, by offering Terms of Security. Nor is it improbable that they may ſometimes purchaſe that Grace at the Expence of the Truſt repos'd in 'em. Such Precedents there are, and they may be followed. For amongſt all the Improvements that theſe latter Ages have made upon the foregoing, I don't find Simplicity and Sincerity to have any ſhare. The Par-

liament therefore have taken a wiſe courſe, by excluding all, to prevent our being ruin'd by ſome, thro' too general a Confidence; or unjuſt to others, by a too particular Suſpicion.

It has ſometimes been thought good Husbandry to give *Places* and *Commiſſions* to *Foreigners* of *Quality*; thereby to ſupport 'em in ſome meaſure anſwerable to their Quality, and former Condition, and excuſe the *Privy Purſe* from the Charge of a *Penſion*, which might otherwiſe be expected. This were good Policy, if *Places* were deſign'd in the nature of an *Hoſpital*, only for the ſupport of thoſe, who knew not how otherwiſe to live according to their Rank. But, if they were contriv'd (as no doubt they were, or ought to have been) for the the Service of the *Publick*, then it is a very miſtaken piece of thrift to fill 'em with uſeleſs or improper Perſons, which were intended for the Encouragement and Reward of Ability and Merit.

It may be objected, *That there are many Places of much Eaſe and little Truſt, which require no great Induſtry or Capacity, to diſcharge one's Duty well in, and therefore there can be no danger in admitting* Strangers *to ſuch.*

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But it may be Anſwer'd, *That 'tis hard dealing with the Native, to put him always to the labouring Oar, without reſpite. Such Places ought to be the Reward of long and great Services, as an Acknowledgment of paſt Merits, and an honourable and comfortable Retreat from Fatigue and Trouble. As for* Strangers, *'tis more Noble, and Safe, to ſubſiſt 'em by the Charity of the Crown, by way of* Penſion; *than by Places, to give 'em a Claim of Right to Profits, which the nature of their Service can't deſerve, and thereby diſcontent thoſe whoſe Merits may give 'em juſt Pretenſions.*

As for thoſe, who to better their Fortunes, Voluntarily take Service under a *Foreign Prince*, or *State*, they ought to be look'd upon as *Mercenaries*, who, indifferent as to the *Intereſts* of the *Public*, have regard to their own *private profit* and *advantage* only. For whether ſtipulating at their entrance into the Service, they honeſtly ſet a price upon their Aſſiſtance, or truſting to their Fortune, Merit, or Addreſs, leave it to be rated afterward, the matter is the ſame, and the Difference is only in the Manner. Intereſt, which gave 'em to us, will at any time take 'em from us again; and they ought therefore to be punctually

paid according to agreement in the caſe of Stipulation, or rewarded in proportion to the real Merit of their Services in the other.

But how uſeful ſoever ſuch Men may be in *Foreign* Wars and Service abroad, the uſe of 'em may be dangerous at home. It is not ſafe to truſt our Arms or our Counſels out of our own Power. For tho' ſome wiſe States may without any Fatal Conſequence have truſted the Execution of their deſigns to hired Troops, yet the part of adviſing, and directing, they always kept to themſelves; and none ever let Strangers into their Councils, without danger to their Liberty, and finding ſufficient Cauſe to repent it.

I ſpeak now with relation to the Body of every Nation, the People. For where a Prince is ſo unhappy, as to think his Intereſts ſeparate from thoſe of his People, *Strangers* may probably be better Servants than his *Native* Subjects, if any may be call'd good, who ſhall infuſe, or confirm ſo pernicious an Error. They will be moſt ready to promote *Arbitrary Counſels*, who have much to hope from 'em, and nothing to loſe. They will be willing to give up the *Rights* of the *People*, in which they have no *Propriety*, to

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erect a *Dominion*, which they will hope to *ſhare* under the *Soveraign*, and be content to be *Slaves* to him to *domineer* over the reſt. They will endeavour to *debauch* the Prince with falſe Notions of Pleaſure or Power, that they may themſelves be the *Miniſters* of his Luſts. They will magnifie the *Prerogative* exceſſively, and call all thoſe who ſhall in *Council* dare to defend the juſt *Rights* and *Liberties* of the People (by whom they will ever know themſelves hated and ſuſpected) ſaucy and diſloyal; and will endeavour to remove from about the Perſon of the Prince, all ſuch as ſhall dare with honeſt Counſels to oppoſe 'em. They will by baſe Flattery, and ſlaviſh Obſequiouſneſs, endeavour to *Monopolize* the *Favour* of the *Soveraign*; and by falſe Inſinuations, malicious Suggeſtions, and forg'd Calumnies, to *poiſon* him with *Jealouſies* and *Apprehenſions* of his *Subjects*. They will tell him, *That he is too Indulgent*; *That his Lenity makes his Vaſſals Inſolent*; *That the lightneſs of their Yoke, makes 'em Wanton and Saucy*; *That he ought to exert, and make 'em feel his Authority, and tremble at his pleaſure*; *That Submiſſion, and entire Reſignation to his Will, is the Subjects part*; *That a limited Obedience is a Trayterous No-*

tion; *and Petitioning, actual Rebellion.* They will perſwade him, *That he is not ſafe in the Hands of his Subjects*; *and that ſuch a Guard will be neceſſary for the Security of his Perſon, as having no other Intereſts or Dependance in this Nation, than on him, may be devoted without reſerve to the Execution of all his Commands.* Thus they will by degrees, attempt to inſtil into him the *Principles* of *Tyranny*, which by an *Ambitious*, a *Weak*, or a *Cowardly Prince*, will be greedily ſuck'd in; and when they have moulded him to their purpoſe, they will, under colour of his Authority, Plunder and Pillage the Nation, and enrich themſelves with the Spoils.

I know ſome think ſuch Conditions as theſe too hard: That 'tis the Prerogative of our Kings to employ whomſoever they think fit, about their Perſons; and to uſe the Counſels of thoſe, in whoſe Fidelity, Experience, and Affection, they can confide, of whatſoever Country, or Nation. That thereby we abridge their Power of rewarding thoſe that ſerve 'em faithfully, and deprive 'em of the Service of able Miniſters: That there is not always that danger in the *Miniſtry* of *Foreigners*; That ſuch Miniſters may ſometimes be too honeſt to attempt to miſlead their Maſters,

Maſters, and the Princes often too wiſe to be miſled by 'em, if they ſhou'd attempt it.

I grant that this Proviſo may be ſometimes unneceſſary, but, that it can ever be hard, I deny. The People may be ſometimes ſo ſecure in the Wiſdom, and Gracious Diſpoſition of their Prince, as may make their own Care and Vigilance uſeleſs; but they are not therefore to preſume, that they ſhall never have occaſion for 'em again. 'Tis for this reaſon that our Senate, exerciſing their Prudence in providing againſt remote Evils that may be, but are yet in the dark Womb of Fate, leave the preſent time to the *Conduct* and *Diſpoſition* of *His Majeſty*. But they are not ſo beſotted with their Happineſs, as not to know, that at ſome time or other, it muſt have an end; and that we are not to expect a perpetual Series of ſuch Reigns. A Prince may ariſe, that may not be of ſuch a Gracious Diſpoſition, and have ſo Fatherly a Tenderneſs for his People, with ſuch extraordinary Perſonal Endowments to enable him to protect and defend 'em; and therefore as his power of doing 'em good, and perhaps his Inclination too will be leſs, ſo ought that of doing 'em hurt alſo. It

wou'd not be Juſtice to His Majeſty, to complement Princes yet Unborn, with that Confidence, which is all the Reward of thoſe Hazards and Fatigues he has ſuſtain'd for our Preſervation, and Defence. But a good Prince can neither want nor deſire the Power of doing us hurt; and tho' a bad one do both, he is, for that Reaſon, not to be truſted with it upon any pretence of Prerogative whatſoever.

Power is a Morſel ſo delicious, that ſcarce any, who have ever taſted it, cou'd be contented with their proper ſhare. And Ambition is a Gulph, that is always filling, never full; e'ry Meal is a freſh Whet to its Appetite, and the more it has, the more it craves. If then we ſhou'd happen to have an *Ambitious* Prince, and a *Foreign* Miniſtry (which but for this Clauſe, might at ſome time or other, be our Caſe) what muſt become of our *Civil* Conſtitution? *Henry* the *Third*, and *Edward* the *Second*, were Weak, Cowardly, and Diſſolute Princes, and their Barons were Valiant, Wiſe, and Powerful; yet the firſt, through the Rapaciouſneſs of his *Foreign* Favourites, was neceſſitated, and by their Advice and Aſſiſtance, emboldened

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and enabled to Invade and Diſtreſs his Subjects in their Rights and Properties, which but for the vigorous and ſtout Reſiſtance of his Barons, he had irrecoverably ruin'd; and the other was inſtigated to ſuch things, as at laſt brought him to a miſerable Cataſtrophe in a Private Condition. Had either of theſe Princes had the *Talents* of a *Neighbouring Monarch*, there had been an End of the *Engliſh* Conſtitution, and *Slavery*, *Want* and *Wooden Shoes*, had been the miſerable Portion of the People of this yet happy Iſland. And perhaps the Swarms of Locuſts, which thoſe Countries daily ſent over hither, was none of the leaſt Reaſons, why the *Engliſh* parted ſo tamely with ſo conſiderable a Barrier to *England*, as *Normandy* and *Aquitain*.

If then our Anceſtors thought fit to purchaſe the abſence of Strangers at ſo dear a rate, to recover their Liberty, how careful ought we to be to keep 'em out, and ſecure it? For ſhou'd a *Prince* of *Courage* and *Prudence* ariſe, who ſhou'd aſpire to make himſelf *Abſolute*, when the *Civil*, or *Military Sword*, and perhaps both ſhou'd be in the Hands of *Aliens*, what cou'd a naked diſarm'd People do

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in defence of their Liberties? They cou'd not expect thoſe Strangers ſhou'd undertake their Protection againſt the Encroachments of their Prince. That were directly againſt their Intereſt, which wou'd be by making themſelves neceſſary to, and inſtrumental in the promoting his Arbitrary Deſigns, to gain Credit and Authority with him, and tyrannize under him, and by clapping Fetters on the *Lords* and *Commons*, ſecure 'em from putting Halters about their Necks.

But tho' we cou'd be ſure, that no King of *England* wou'd ever hereafter entertain any ſuch thoughts; tho' we cou'd be certain of a perpetual Succeſſion of Princes, who out of their innate Goodneſs, wou'd not even accept of the Exerciſe of more than their juſt and lawful Power; yet wou'd not this Law ceaſe to be uſeful, tho it were not ſo abſolutely neceſſary. For tho the Gracious Diſpoſition of the Soveraign himſelf, wou'd then be (as it now is) a ſufficient ſecurity againſt any Attempts upon our Liberties on his part; yet ſince we have entail'd our Crown on a *Soveraign Family*, *Natives* and *Hereditary* Princes of of another Land, on whom 'tis to be fear'd

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it may in no very long tract of Time deſcend, we may reaſonably expect, that the firſt of 'em, that ſhall take poſſeſſion of the Throne, will be follow'd by numbers of his Countrymen; who, tho' they have no hand in his Advancement, will hope to ſhare his good Fortune; and through the Bounty of their Maſter, to taſte the Fruits of a rich and plentiful Country, for which they have never laboured. And, as Princes feel their Hearts enlarg'd with their Fortunes, 'tis uſual for 'em to begin their Reigns with Acts of Generoſity and Bounty; of which, none are ſo likely to feel the comfortable Influence, as the old Servants, Country Men, and Subjects, to whom, under pretence of rewarding paſt Services, they are willing to ſhew their Magnificence and Grandeur, which muſt be done at the Expence of their new ones, who out of their abundant Zeal (which, contrary to the common courſe of Natural things, is always ſtrongeſt in its Infancy) are, on ſuch occaſions, rather apt to prompt and encourage, than to curb the Extravagance of their Prince, however they repine at it afterwards.

Beſides, the Community of Speech, Religion, and Cuſtoms, paſt confidence

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and Familiarities, and other Engagements of an elder Date, make converſation with his *Foreign Subjects*, infinitely more eaſie and pleaſing to a *New King* of *Foreign Birth* and *Education*, than with his *New Ones*; whom, 'tis a great while e're he knows, and longer e're he readily underſtands. This gives his *Foreigners* the ſole opportunity of entertaining him in his private Receſſes at his Hours of Diverſion and Pleaſure, when in the midſt of Gaiety and Mirth, the paſſes to the Heart are leaſt guarded; an advantage over his New Subjects ſo great, that tho (by our Suppoſition) they can't improve it to their hurt, they will be ſure to do it to their own Uſe and Benefit, and perhaps to the excluſion of the others for ever, from his neareſt Affections, where they will themſelves always fill the firſt places. For it is obſervable of Princes, as well as private Perſons, that the Confident, and Inſtrument of their Pleaſures, ſhares a greater meaſure of their Favour, than the partner of their Labours and Dangers, and often mounts over his Head. This will likewiſe give 'em means, by working the Prince at proper Seaſons, which they only will have the power of, to turn the whole

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ſtream of his Liberality and Bounty upon themſelves; and by falſe Repreſentations and Characters of the Natives, whom the Prince by theſe Arts will be kept from knowing ſufficiently, to fill with their own *Creatures* and *Dependants*, all ſuch Places, as, to avoid Envy, themſelves ſhall think fit to decline: By theſe means the *beſt*, and *braveſt*, who will ſcorn ſuch dependance, will be excluded and diſoblig'd; and Men of *narrow Fortunes*, and *narrower Spirits*, intending only their own Profit and Advantage; Men of more *Craft* than *Wiſdom*, and fitter for *Secret* and *Corrupt Intrigues*, than *Open* and *Generous Councils*, will be admitted into the *Adminiſtration* of *Publick* Affairs; whence will follow *Publick Grievances*, and *Diſcontents*, and unavoidable *Jealouſies*, and *Miſunderſtandings* between the *King* and his *People*; till the *Publick Voice* ſhall inform him of the *Abuſe* of his *Favour*, and he ſhall learn to *diſtinguiſh* Men by their *Miſcarriages*.

Theſe are the *Grievances*, that will naturally follow the *Adminiſtration* of *Foreigners*, in the Reign of a Wiſe and Good Prince; which in that of a Bad, muſt neceſſarily be attended with all the Miſeries, and Calamities that an Unhap-

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py Nation can ſuffer. But of all theſe, the Parliament, by a wiſe and timely proviſion, has anticipated the Apprehenſions. For which, Poſterity can never make 'em ſufficient Acknowledgments.

But as not only *Foreigners*, but our own *Natives* may be corrupt, and the Nation thereby endanger'd, eſpecially if ſuch Perſons ſhou'd come to have Seſſion in *Parliament*, and bear a part of the *Legiſlative* Authority, to keep the Poiſon as far as poſſible from the Fountain-head, Proviſion is made in this Act.

That no Perſon, who has an Office *or* place of Profit *under the* King, *or receives a* Penſion *from the* Crown, *ſhall be capable of ſerving as a* Member of the Houſe of Commons.

This Houſe is the *Guardian* of the *Rights* and *Liberties* of all the *Commons* of *England*, a third part of the *Legiſlative Power*, and one of the *Three Eſtates* of the Kingdom; which being inſtituted as Checks, and Counterpoiſes to one another, for the better ſecuring our Liberty againſt all, have their diſtinct and ſeparate *Rights*, *Priviledges* and *Powers*, as well as common, which ought to be kept Sacred and Inviolate; otherwiſe our Conſtitution is loſt. For, whenſoever any

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one of theſe becomes *ſubordinate* to, and *dependant* upon either of the other, the *Civil Ballance*, wherein lies our Security, is deſtroy'd.

All Attempts upon the Rights of any of theſe, are dangerous to the whole, eſpecially thoſe of the *Commons*, who being vaſtly the majority, and the only indiſpenſably neceſſary part of a Commonwealth, their Safety and Security ought to be conſulted, and provided for, before that of any Branch, and even againſt it, if ever they ſhall happen to be inconſiſtent. Our Conſtitution itſelf, ſo long as it ſhall be preſerv'd unbroken, is a ſufficient Guard againſt any Invaſion upon any of 'em by open Violence; no one of the Three Eſtates being entruſted with ſo much Power, as to be able forcibly to take from either of the other, any of its Rights. But on the other hand, the Remedy for *Corruption* does not ſeem ſo apparently included in the *Frame* of our *Civil* Conſtitution; tho in reality it is ſo. And therefore that, as the moſt covert and moſt effectual Method, has been purſued by our late Managers. For tho it was not feaſible to bring the *Houſe* to have any dependance on the *Court*, yet it was not impoſſible to bring great numbers of the Mem-

Members, for their ſeparate Intereſts, to be retainers of it. To effect this, all *Places* as they became vacant, were filled with *Parliament Men*, and great Endeavours were uſed to procure ſuch to be Choſen, as were already poſſeſs'd of *Offices*; in which they were ſo ſucceſsful, as to prevail in many places, where they had never been ſeen, and perhaps ſcarce heard of, before they appear'd as *Candidates*.

To make the more room, beſides a great number of *new created Offices*, the old ones were *ſplit* into *Commiſſions*, whereby the Nations Expence was greatly encreas'd, and the number of Officers exceſſively multiplied.

By theſe means, we have ſeen at one time in the Houſe, near 300, who all held places at the Kings Pleaſure; who, together with thoſe, whom *Secret Penſions*, *Future Hopes*, and other *Private Engagements*, drew after 'em, made a *Party* ſo formidable, that ſome great *Courtiers*, by whoſe Inſpiration they mov'd, grew Inſolent; and within Doors treated thoſe Gentlemen with Contempt, who came thither only to ſerve their Country, without any ſeparate regard to themſelves; and without Doors, had the Hardineſs

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and without Doors had the Hardineſs to promiſe for the *Houſe*, before they conſulted it. The ſucceſs of this Method was ſuch that they came at length in a manner to avow it; and whenever Application was made to the *Miniſtry*, for any *Place* depending on the *Court*, worth ſo much as 200 *l. per Annum*; Enquiry was made, Whether the *Party* was a *Member*, or could *procure* himſelf to be Elected, ſo far was it become a neceſſary Qualification; inſomuch that a *great Lord* told one, who, upon ſome conſiderable Service done, made Suit to him for a Place then vacant, *That he ſhould have any Penſion, rather than a Place, becauſe the King had not Places enow to Gratifie his Friends in Parliament.*

Thus was the *Houſe* rent into Factions, known all over *England* by the Names of *Court* and *Country Parties*; which Diviſion was artificially kept up by ſome *Great Officers*, and the Breach induſtriouſly made wider by them, and their Creatures, who having poſſeſs'd themſelves however unworthily of the King's Favour, dignified themſelves with the Title of the *King's Friends*, in excluſion to all others; and labour'd to ſhut up all the Avenues, and render him

inacceſſible to all (but thoſe to whom they gave Admittance) ſtigmatizing 'em as *Jacobites*, *Diſaffected Perſons*, and *Enemies* to his *Government*; tho' they did on all occaſions, give as hearty Demonſtration of their *Affection* for the *King's Perſon*, and *Zeal* for his *Government*, and the *Service* of their *Country*, as the moſt forward of themſelves, but upon *better Principles*.

Theſe Practices however Convinced Diſcerning, and Diſintereſted Perſons, that *theſe Men*, who bellow'd ſo loud, and boaſted ſo of their Services for the beſt of Kings, wou'd have done as much for the worſt, upon the ſame Conſiderations; and that nothing was wanting, but an *intimation* from the King, That the *Liberties* of his People wou'd be an *acceptable preſent* to ſhew how ready they were to *ſacrifice* 'em to his *Pleaſure* and their *own Profit*.

Theſe Proceedings terribly alarm'd all good Patriots, who plainly ſaw, that they enjoy'd their Liberties, meerly by the King's Grace, and Indulgence, who would not take thoſe Advantages againſt 'em, which theſe Paraſites offer'd him. This equally rais'd their *Value* and *Affection* for the *King*, and their *Abhorrence* of

of ſuch *Miniſters*, which was ſo much the greater, for that this was the moſt effectual way of *ruining* their *Country* for ever. Men that are outed by Violence, or ſtript by Cheat and Surprize, have the *Law* on their ſide, and where that wants Power to redreſs, may recover their *Right* by *Force*, or ſuch other means as they can. But the *Law* provides no Remedy for Fools; he, that ruines himſelf by his own *Act* and *Deed*, muſt e'en ſit down contentedly, and abide by the loſs. This had been our caſe under another Prince; and therefore to prevent the like danger for the future, divers *Worthy Patriots* did ſeveral times attempt to get a Bill paſs'd, commonly known by the Name of the *Self-denying Bill*; but thoſe Attempts were conſtantly defeated by the *Court Party*; till in this own ſhort Clauſe they ſumm'd up that whole Bill, and gain'd at laſt, that Point, in which they had ſo often before been baffled.

The Common Objection againſt this Clauſe is, *That it diſables many Perſons, who by their known Abilities, and approv'd Integrity, were qualified to do their Prince and Country Service in both Capacities.*

And thus far this Objection may be maintain'd, both from Reaſon and Ex-

perience, That 'tis poſſible now and then to find a Man of too much *Underſtanding* to be *miſled*, and too much *Honeſty* to be *Corrupted*, and conſequently fit to be entruſted with all the Powers that he is able to execute. But ſuch Men are almoſt as rare as White Crows, and not ſo diſtinguiſhable. They are fit for all manner of Employments, when we can find 'em, but they are not to be expected, and therefore it behoves us to provide as well as we can, againſt ſuch as are of another Complexion. 'Tis a receiv'd Maxim even in private Dealings, That we ought to preſume, every Man to be very honeſt, yet to deal with him as cautiouſly as if we knew him to be a Knave. This holds better in Concerns of the Publick, where the importance of the Truſt, and the Danger of Corruption is infinitely greater. There are undoubtedly Honeſt Men in the Nation, but 'tis hard to diſtinguiſh 'em, the Knaves look ſo like 'em; and to do it by trial is dangerous, the Experiment in Publick Affairs coſts too much. But ſince 'tis impoſſible to find all Men honeſt, it is our Duty, as far as it is practicable, to make 'em ſo; and where that can't certainly be effected, to take care not to truſt 'em too far. The *Houſe* of

Commons

Commons are *Truſtees* for the *whole Nation*, and therefore they do well to keep temptation at a diſtance, and to admit no Man amongſt 'em, who may reap any *private Advantage* by betraying his *Truſt*. Where e'ry Man is ſuſpected, no particular one is injur'd, and 'tis ſafer to loſe the Service of many Good Men, than to be once in the Power of a Bad one.

'Twas evident to the *Houſe*, from their earneſt Endeavours for the *Eſtabliſhment* of a *Standing Army* in time of *Peace*, what *ſort* of *Government* a certain Sett of Men aim'd at, who were for forcing the *Inſtruments* of *Tyranny* into the *King*'s Hands; and it was no difficult matter to gueſs how *Innocent* they intended to be, who labour'd ſo hard for means of *Impunity*. And therefore, to prevent for the future any Attempt to *betray* our *Liberties* by ſo *pernicious an offer*, in any Reign to come, when perhaps it might be better reliſh'd and accepted, than by our Preſent Gracious Sovereign; they have by this *Clauſe* excluded thoſe ſort of Men, whom Reaſon and Experience both teach us to be moſt forward in ſuch Enterprizes. For Men that have great Places, and but ſmall Eſtates, have in a manner enter'd into an Engagement to be more obſervant of the Plea-

ſure of the Court, than of the Intereſt of the Nation; at leaſt the Court has better Security for their good Behaviour, than they are able to give their Country. And therefore till we are ſure, that Men are not to be corrupted, or till it is impoſſible, that the Court ſhou'd purſue any Intereſt, which is not in every reſpect the Intereſt of the whole Nation; theſe Court Benefices may juſtly be eſteemd ſo many Baits to lure Men from the Rigour of their Duty, and thoſe that enjoy 'em, may without affront be looked upon as Perſons under temptation, and conſequently not to be *truſted* with the *Guardianſhip* of our *Liberties*.

Theſe have been the Men, who in all Reigns, and on all occaſions, have been ready to juſtifie the *Irregularities*, and *Miſmanagements* of the *Court*, and in the *Houſe* to patronize all manner of *Offenders* in *Place* with that Unanimity, that they ſeem to think every Man's Caſe their own, and by their *Apprehenſions* to *confeſs* a *Community* of *Guilt*, as well as to *fear* one of *Danger*. Theſe were the Men, who ſo very lately offer'd to Complement away our Liberties, by Voting for a *Standing Army* in time of *Peace*: But thoſe very Gentlemen, whoſe Wiſdom and

nd Courage defeated their pernicious Deſigns then, have once more exerted themſelves, and taken from 'em the Power of doing us any ſuch fatal Miſchief hereafter; and thereby laid an Obligation on the Nation that will laſt for ever, if we have Senſe and Courage to maintain our ſelves in poſſeſſion of ſo ineſtimable a Benefit.

Neither have they provided for the *Safety* of the People, by delivering the *Law*, which is their Security, untainted, to 'em from the Fountain only; they have taken care, as far as in them lies, to continue it to 'em in a pure and uncorrupted Stream, through the main and immediate Channels the *Judges*, by Enacting.

That after the ſaid Limitation ſhall take effect, as aforeſaid, Judges Commiſſions *be made,* Quamdiu ſe bene geſſerint, *and their Salaries* aſcerted and eſtabliſh'd: *But upon the Addreſs of* both *Houſes of Parliament, it may be lawful to Remove 'em.*

The *Judges* are, as it were, the *publick Receptacles* of the *Law,* where it is receiv'd, in order to be more commodiouſly diſtributed according to the ſeveral Occaſions of the State, or People; and are appointed to determine all Contro-

verſies of *Right*, whether betwixt the *King* and *Subject*, or between one Subject and another, according to the Senſe and Meaning of the *Law*, of which they are only the *Interpreters*. This Power of Interpretation, however reſtrain'd it may ſeem, gives 'em opportunity every Day of determining concerning the *Lives* and *Eſtates* of the Subject; a power too great to be truſted into the Hands of any Perſons who are liable to any manner of *Temptation*, from Fear or Intereſt, to be Partial and Unjuſt in their *Judgments*. The Importance of theſe Officers, and the Danger which every Man in his private Concerns, and all in the Publick incur from 'em, if they ſhou'd be Corrupt, is a ſufficient Caution for us not to ſuffer their Places to be *Precarious*, or the Profits of 'em, or the perception of thoſe Profits to be render'd uncertain or difficult and uneaſie; by which they may become *dependant* on, and be brought under the *Direction* of any Perſon or Perſons whatſoever. The experience we had of the Miſchiefs of ſuch a Conduct in ſome late, as well as long paſt Reigns, has convinc'd us, that while the *Judges* hold their Commiſſions only *during Pleaſure*, while their Salaries are to be paid

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out of the Exchequer, without any Fund appointed by Law, whence they ſhall ariſe, there will be an awe upon them of loſing their Places, or being obſtructed in the gaining of their Salaries, greater than is conſiſtent with the *Liberty* and *Authority* of the *Bench*; which ought to be under no *Influence* but of *Law* and *Juſtice*. Beſides it may happen in an unjuſt Reign, That if the *Judges* ſhould be ſo reſolutely upright, as to prefer the Diſcharge of a Good Conſcience in the Execution of their Duty, before the Pleaſure of the *Court*, and thereby give offence in any *Judgment*; they may have their *Quietus*, and others be appointed in their rooms, who, before they take their Places, may promiſe more Conformity to their *Directions*. By theſe means all *Law* might be render'd ineffectual, and all be reſolv'd into the *King's ſole Will* and *Pleaſure*, as they were by thoſe Scandalous Opinions of the *Judges* in *Richard* the *Second*'s time, and in the late Reign, which firſt endanger'd the *Liberties* of the *People*, and all the *Rights* of *two* of the *Eſtates* of this *Kingdom*; and at laſt ſhook the *Crown* off both thoſe *Princes Heads*, that procur'd 'em.

But

But this *Clauſe*, by deſtroying thoſe Fears, and that Dependance which was the Conſequence of 'em, has exempted our *Judges* for all futurity from *Temptation*; and by cutting off the Uſe, put an end to thoſe dangerous Practices, to corrupt thoſe *Reſervatories* of *Publick Juſtice*; and we may hope for a Continuance of the Happineſs we now enjoy, of ſeeing a Set of *Learned* and *Upright Judges* upon the *Bench*; and hearing the Rights of the Subjects defended from thence, as well as from the Bar; a Bleſſing but lately known to us, and by this Act entail'd upon our Poſterity.

Next to the Wiſdom of preventing Crimes and Offences, is that of puniſhing Offenders, whom a Senſe of Duty cou'd not reſtrain; but both are in great meaſure ſhewn, by taking away all hopes of Impunity from all that ſhall become Offenders, and leaving no room for favour, or hopes of Protection, which this Act does by providing,

That no Pardon *under the* Great Seal *of* England, *be pleadable to an* Impeachment *by the* Commons *in* Parliament.

That the *Houſe* of *Commons* are the Guardians of the *Rights* and *Liberties* of the *People* of *Englaad*, is granted on all Hands;

Hands; and by the nature of the Truſt it ſelf are inveſted with a Power to defend it, and themſelves in the diſcharge of it; *Quia datâ facultate datur jus facultatem tuendi.* Thoſe that confer the Truſt, convey along with it whatever Right they have to protect and defend that Truſt; otherwiſe it were no Truſt at all, but an Invidious Burthen. For if Men ſhall be charg'd with the Cuſtody of any thing, and be denied the means of preſerving their Charge entire, they can't in Juſtice be call'd to account for it, if loſt, or impair'd.

Whether any Rights or Privileges be ſo inſeparably inherent in every People, or Civil Society, that they cannot by any means, or method whatſoever juſtly be avoided, or taken away, is a point that has been diſputed, perhaps with more Prejudice than Argument. But that every free People has ſuch Rights, and that the People of *England* is a free People, is unconteſted, and by that Conceſſion the other point is out of Doors here. Theſe Rights carry along with 'em a Power of Remedy in caſe of Violation, or Attempt upon 'em, otherwiſe they are not Rights, but Courteſies, holden at the Pleaſure of him, or them, who have the Power of appoint-

appointing, or denying a Remedy. This Power muſt be exercis'd by the Perſons themſelves, whoſe the Rights are, or by Perſons delegated by them for that purpoſe; otherwiſe their Power, and conſequently their Rights are precarious, and in effect none.

The *Houſe* of *Commons* are the Perſons ſo delegated and appointed by all the *Commons* of *England*, upon what all their Rights and Powers are devolv'd; and if they can't exerciſe 'em, the *Commons* of *England* have no Rights and Powers, are no free People.

As the Rights of the *People* are many and various, ſo are alſo the Powers of the *Houſe* of *Commons*, which muſt be adequate to the Truſt repos'd in 'em; and conſequently whatever Power is neceſſary for the Protection and Defence of thoſe Rights (without invading the Rights of either of the other Eſtates) is actually, and muſt be lodg'd in the *Houſe* of *Commons*; otherwiſe they can't be able to diſcharge their Truſt, which is to preſerve and maintain entire all the Rights of the *Commons* of *England*.

One of the moſt conſiderable of thoſe Powers, whereby they are enabled to defend the Rights entruſted with 'em, is that

that of examining, and enquiring into the Conduct of all manner of Perſons, ſo far as it concerns the publick Safety, and the welfare of the whole People, and to bring ſuch as they ſhall find Delinquents to Judgment, and Puniſhment; which is impracticable for the People in *propriis perſonis*.

The Method of doing this, is by *Impeachment* in *Parliament*; both becauſe 'tis below the Dignity of the Houſe of Commons, to become Proſecutors in an inferiour Court, and becauſe the Quality of the Offenders, or the Nature of the Offence, is ſometimes above or beſides the reach, or Juriſdiction of thoſe Courts. If therefore the regular courſe of Juſtice upon *Impeachments*, may be ſo far obſtructed, as that *Judgment* may not be had in due form and manner, or that after *Judgment*, *Sentence*, or the *Execution* of that *Sentence*, may be remitted or ſuſpended, the *Commons* have loſt a main Bulwark of their Liberties; and it may be an Encouragement to Perſons under the protection of him, or them, that have ſuch power, to inſult and invade the Rights of the People with a proſpect of Impunity. It is therefore the indiſpenſible Duty of their Repreſentatives to take as effectual care,

care, as they can, to preſerve this Power unbroken to the People, or they are guilty of a high Breach of Truſt, and Betrayers of the Rights of the *Commons*.

Impeachment, as it is the higheſt and moſt ſolemn ſort of Proſecution; both from the Quality of the Proſecutors, who are the *Houſe* of *Commons*, and of the Judges, who are the *Houſe of Lords*; ſo is it likewiſe ſometimes from the Quality of the Offender, and Offence as concerning the Adminiſtration of Affairs in Stations of the higheſt Dignity, and Matters of the greateſt Importance to the Publick: It is therefore abſolutely requiſite that ſuch Proceedings be manag'd with all the Solemnity, Decorum, and Candour imaginable; as well for the honour of the Parties concern'd, that no blemiſh may be brought upon the Juſtice of their Proceedings, as for the Importance of the Cauſe, wherein either the Publick may run great hazard, or the ſuppos'd Delinquent ſuffer inſeparable Wrong, if an erroneous Judgment ſhould be given. But then anſwerable to the Dignity of the Proſecutors, the Majeſty of the Court, and the Univerſality of the Injury, which is done to the whole *Commonalty* of *England*, if not to the whole *People* of *England*,

England, ought to be the regard had to their Judgment. No interpoſition whatſoever ought to reſcue them from puniſhment, whom two of the *Sovereign Eſtates*, and in them all the *People* of *England*, have adjudged to be worthy of, and condemn'd to it. To diſpenſe with the Execution of the Sentence after Judgment, is to affront the Supream and moſt Auguſt Court and Aſſembly of this Nation, and to diſpoſe of the Rights of the People without their Conſent, who after Conviction, have a Title to Satisfaction, either by Reſtitution, or Puniſhment, or both, as the Nature of the Caſe requires.

The way of Trial by *Impeachment*, is taken from the *Romans*, amongſt whom, in the pureſt times of their Commonwealth, it was in frequent uſe. This way of bringing Offenders to Judgment, was taken againſt ſuch, as the ordinary Juriſdiction of the *Prætor*, and other Magiſtrates, did not reach? either becauſe the Nature of the Crime was ſuch, as was beſide their Cognizance, or the Quality, Power, and Authority of the Perſon, ſet him above their Enquiry. In ſuch Caſes the *Tribunes* of the *People*, the *Quæſtors* or the *Ædiles*, or other Publick Magiſtrate, Impeach'd

Impeach'd 'em to the *People*, who were the Supream *Judges*, from whom there lay *no Appeal*; and exhibited *Articles*.

Theſe Articles uſually contain'd Matters of *Publick Grievance*; as *Conſpiracies againſt the State*, *Male adminiſtration during Office*, *Miſapplication of the Publick Treaſure*, *Wrong Appropriation of the Forfeited, or Conquer'd Lands*, *Invaſion of the Rights and Liberties of the People*, *Pernicious Counſel*, &c. And according to the ſpecial Nature of the Crime, they Impeach'd of *Treaſon* or *Miſdemeanour*, and their Judgments extended to Life, *Confiſcation of Goods and Eſtate*, or *Fine* only. In ſhort, whatever Diſaſter, whatever Miſcarriages, whatever Grievances the *Romans* felt; the Perſon, thro' whoſe Fault theſe Evils aroſe, very rarely eſcap'd Judgment, but by Flight, or Death. And herein ſeems to have conſiſted the main Strength of the *Roman Commonwealth*, that all Services done to the Publick, met with Honour and Reward, and all Offences againſt it, with certain Puniſhment, which no Plea of Paſt Services or Merits cou'd avoid. I doubt not, but ſuch Proceedings here at this time, wou'd be call'd Hardſhips, unjuſtifiable Severities, and terms on which no Man wou'd

wou'd ſerve the Publick; yet they were the very Foundation of the *Roman* Liberty, Virtue, and Diſcipline, which produc'd ſuch a wonderful Succeſſion of brave and great Men, and together with which all theſe things decay'd and expired. Tho' the Perſons ſo Impeach'd, were ſometimes the moſt Illuſtrious for their Quality, the Merits of their Families, and their own proper Services, in caſes of the greateſt danger; tho' the Senate thought themſelves bound in the ſtrongeſt Obligations to employ all their Power and Intereſt in their Favour, and the People confeſs'd themſelves deeply indebted to 'em; yet ſuch was the awe of an accuſation on the behalf of the Publick, that they durſt not interpoſe their Authority to ſtifle any ſuch Complaint, or move for any Arreſt of Judgment, otherwiſe than by Solicitation and Supplication, to prevail with the Accuſers to let the Proſecution drop, or with the People for a favourable Sentence; of which I ſhall offer a few of the moſt remarkable Inſtances, both for the Quality and high Deſerts of the Perſons themſelves, or their Families, and the lightneſs of the Crimes objected to 'em, which will ſufficiently evince, what is here laid down.

While the *Commonwealth* was yet in it's Infancy, being but 18 Years old, and the *Tribunate* ſcarce out of its Cradle, but of three Years; a Dearth aroſe, occaſion'd by the Lands lying fallow the Year before, upon the ſcore of Domeſtick Differences. To remedy this Evil, the *Senate* had purchas'd vaſt Quantities of Corn with the Publick Money, from the Neighbouring Countries; and it was debated amongſt 'em, at what Rates it ſhould be retail'd out to the People. *Cnæus Martius* was a Nobleman of the firſt Rank; who, beſides his Quality, had his own particular Services, which were great and glorious, to value himſelf upon; the taking of *Corioli* by his particular Valour (whence he was Sirnam'd *Coriolanus*) and thereby putting an end to a difficult War, was an Action of ſuch luſtre, that the Hiſtorian tells us, it quite eclips'd the Glory of the *Conſul.* Yet this Man in the Pride of his Glory, while his Merits were yet freſh in the Peoples Memories, attempting to oppreſs the *Commons*, was Impeach'd by the Tribunes, *for Adviſing the* Senate *to ſtarve the* Commons *into a Complyance with their Demands, and to deny 'em Corn, till they conſented to ſuppreſs the Office of* Tribunes *of the* Commons. The *Nobility* exerted their utmoſt Authority, and uſed

uſed all their Art in his behalf, united in the *Senate*, and ſeverally out of it; they threatned and ſolicited their *Tenants*, *Clients*, and *Dependants*, to ſtop the *Proſecution*, but all in vain. When they found that impoſſible, the whole *Senate* condeſcended in a Body, to ſupplicate the *People* for his *Pardon*, and prevail'd as little. He was forc'd to fly, and not appearing on the appointed Day, was condemn'd, tho' abſent.

Titus Menenius was impeach'd by the *Tribunes* for ſuffering *Cremera*, a *Roman* Garriſon, to be taken without attempting to relieve it, when he was Conſul and lay with an Army not far from it. Here the Senate again interpos'd as heartily as before for *Coriolanus*, and thro' the Value the People had for the Memory of his Father *Menenius Agrippa*, ſucceeded ſomewhat better. For they prevail'd with the *Tribunes* to moderate the Proſecution, and inſtead of trying him for Life, as was at firſt intended, the matter ended in a Fine. However the Grief of this Diſgrace coſt him his Life.

His Misfortune ſtood his Succeſſor *Spurius Servilius* in good ſtead. He was impeach'd by the *Tribunes* for having endanger'd the Army under his Command as Conſul, and ſuffer'd a Repulſe with

great Loſs in a raſh Attempt to force the Enemies Camp. But the fatal Iſſue of *Menenius*'s Diſgrace had made ſuch an Impreſſion upon the People, that they ſuffer'd *Servilius* to come off.

Appius Claudius, a violent Aſſerter of the Authority of the *Nobility* againſt the *Tribunes* and *Commons*, was impeach'd by the *Tribunes* for *obſtructing the* Agrarian *Law, and abetting and maintaining thoſe, that had gotten poſſeſſion of the Publick Lands*. He appear'd, and made his Defence, and the further Proceedings being adjourn'd for a ſhort time, before the Trial came on again, he died.

Cæſo Quintius, the Flower of the *Roman Nobility*, for extraordinary Endowments both of Body and Mind; who had himſelf, as had alſo his Father *Lucius Quintius Cincinnatus*, divers times reliev'd and ſav'd the *Roman Commonwealth*, by his own particular Valour and Conduct, was impeach'd by *Aulus Virginius*, of Capital Crimes. The Charge was, *That he had by* Arms *and* Violence *oppos'd and hinder'd the* Tribunes *from paſſing a Law to* reſtrain *the* Power *of the* Conſuls; *That he had often by* Blows *and evil treatment, driven the* Tribunes, *and* People *out of the* Forum; *That he had ſtruck down one Man with a* Blow *of his* Fiſt, *whereof he was*

ſince

ſince Dead. Neither the Authority of the Senate, the numerous and meritorious Services of himſelf and Family, nor the Prayer of his Fathers then abundantly the moſt illuſtrious Perſon, and moſt deſerving of the *Commonwealth* in all *Rome*, avail'd any thing. The People were deaf to all Entreaties, and Arguments in his Favour. The utmoſt that cou'd be obtain'd, was to ſuffer him to be Bail'd upon exceſſive great Security. This made him withdraw, and live in voluntary Exile. This was ſo far from mollifying his Judges, that not appearing he was condemn'd, and the Cautionary Sum levied with ſuch cruel Rigour upon his Father, that he was forc'd to ſell all his Goods, and go to live like a Baniſh'd Man, in an obſcure Cottage, a Farm of 4 Acres beyond the *Tyber*: And tho' the Evidence againſt *Cæſo*, as to the Manſlaughter, *Marcus Volſcius* was afterward convicted of having given falſe Teſtimony againſt him, and Baniſh'd for it by the *Quæſtors*; yet it does not appear, that he was ever ſuffer'd to return home.

Titus Romulius, and *Caius Veturius*, Conſuls, having obtain'd a great Victory, and with it as great a Booty, at a Time when the Publick Treaſure was very low; inſtead of dividing the Spoil among the

Soldiers, according to the uſual cuſtom, ſold all, and put the Money into the Treaſury. For this they were both *Impeach'd, Condemn'd*, and *Fin'd.*

A Dead Body being dug up in the Houſe of *Publius Sextius*, a Noble Man, he was Impeach'd by *Caius Julius*, one of the *Decemviri*; and the Hiſtorian takes a notice of it very particular, and very much to the Honour of the *Decemvir. He did* (ſays he) *depart from his Right, and abate of the Authority of his Office, to add ſomething to the liberty of the People, contenting himſelf to become Proſecutor before them in a Cauſe where the Law allow'd him to be Judge.*

Appius Claudius, and *Spurius Oppius*, two of the *Decemviri*, for continuing to exerciſe their Authority after the limited term of their Office, were Impeach'd by the Tribunes, and caſt into Priſon, and died there by their own hands. Their Eſtates were confiſcated. The reſt of their Colleagues by voluntary Exile avoided Judgment, but their Eſtates alſo were confiſcated.

Marcus Claudius, for laying falſe claim to the Daughter of *Virginius*, as born his Slave, was Impeach'd, Tried for Life and Condemn'd. But the Severity of his Puniſhment was remitted, and he was Baniſh'd.

Marcus

Marcus Poſthumius, and *Titus Quintius*, Conſuls, were Impeach'd, and Tried for having loſt a Battle to the *Vejentes*; *Poſthumius* was Convicted, and Fin'd, *Quintius* Acquitted.

Agrippa Menenius, *Titus Clelius Siculus*, and *Marcus Ebutius Helva*, were made *Triumvirs*, in Order to lead a Colony to *Ardea*. They did ſo. But in the Diſtribution of the Lands, having not acted to the Satisfaction of the People of *Rome*, they were Impeach'd. To avoid the force of the Impeachment, they Enroll'd themſelves in the Colony, and ſettl'd there.

But not to be troubleſome with too many Inſtances, of which the *Roman* Hiſtory is full, I ſhall cloſe with *Marcus Furius Camillus*. This Man was not only the moſt Fortunate, but the beſt Man that ever *Rome* bred, taking him in all Capacities as a Great Soldier, and a Wiſe Magiſtrate. He had by his own particular Conduct, gain'd a Great and a Glorious Victory over the *Vejentes*, beſides a Prodigious Booty, which by the Laws and Uſage of *Rome* ſhould have been diſtributed to the Army. But *Camillus*, conſidering the Poverty of his Treaſury, and the Exigencies of the Publick, preſuming upon his Merits, made bold to ſtretch his Authority, and diſpenſing with the Law

on that occaſion, ſold all the Booty, and put the Money into the Treaſury. For this, when he return'd, he was Impeach'd, for having exceeded his Commiſſion againſt the Law. And tho' he had acted to the beſt of his Judgment, (perhaps not Erroneouſly) for the good of the Publick, and was not accus'd of having reſerv'd any thing to his own private Uſe, yet he was forc'd to fly his Country, to ſave his Head, and continued in Exile, till the Calamities of *Rome* made him again abſolutely neceſſary for its preſervation.

Such Severities as theſe, in ſo corrupt an Age, and ſo looſe an Adminiſtration as ours, would, no doubt, be reckon'd, intolerable. Almoſt every one in Publick Truſt, takes as great Liberties, and commits as great Outrages as any of the aforementioned Illuſtrious Perſons; but their Virtues, and Merits, which ſhould plead their excuſe, we are at a loſs to find. Should we then proſecute their Offences, with the ſame Rigour, it is to be fear'd, we ſhould ſoon have but a thin Miniſtry. Yet to this exactneſs, in calling to account their great Men, was the Preſervation of their Liberty and Conſtitution, from Domeſtick Invaſions, and Incroachments, mainly owing. It kept their great Men from preſuming upon the Merits of their

Services,

Services, to uſurp upon the Rights of their fellow Citizens: And aw'd the Ambitious, from attempting, by gradual Incroachments, any thing againſt the Liberties of the People. For theſe Examples, and ſuch as theſe, gave 'em frequent Convictions, that the People were Jealous of their Rights, and Reſolute in the defence of 'em, and that they wou'd ſuffer no Man, upon any pretext whatſoever, to abuſe his Truſt, affront the People, diſpenſe with their Rights, or aſſume more Authority than they had given him, and to entertain at the ſame time hopes of Impunity.

This Obſervation wou'd be ſtill better confirm'd, had we room in this place to examine what was the conſequence of the after remiſſneſs of the ſame People in this Point. After the Deſtruction of *Carthage*, the People of *Rome* was ſo Intoxicated with the Greatneſs of their Empire, and the Merits of *Scipio Africanus*, that when he was call'd to Account, by the Tribunes, for divers Arbitrary and Illegal Actions by him committed, during the time of his Command, he, inſtead of anſwering to the Matters laid to his Charge, preſuming upon his own Merits, and the Favour of the People, Harangu'd 'em on his own Services, and the Greatneſs of their Deliverance, thro' his Means, and after the Harangue,

rangue, without making any direct anſwer to the Accuſation brought againſt him, roſe abruptly, and Invited the People who follow'd him with Acclamations, to go to the *Capitol*, and give thanks to the Gods for the Succeſs of their Arms. This Affront to the *Tribunitial* Authority, and the Indulgence of the *Romans*, tho' to ſo Great a Man, and in Matters of ſmall Importance, bating the Contempt of the Magiſtrates, was however of fatal conſequence to their Liberty. For tho' *Scipio* himſelf was a Man of that great Temperance and Moderation, that he made no other ill uſe of his Popularity and Greatneſs with the People; yet it taught thoſe that came after him, what advantages might be made of ſuch a Reputation and Intereſt, to an Ambitious Man. From that time the Authority of the *Tribunes* vaniſh'd; and with it, the whole Security of the Liberties of the People, who lay open, from that time forward, to the Ambition and Intrigues of their deſigning Great Men, againſt whom they had no Protectors. For every ſucceeding Captain profited of this Example, deſpis'd Authority, and ſcorn'd to be call'd to an Account.

This gave Spirit to the Ambition, and Birth to the Deſigns of *Marius*, *Sylla*, *Craſſus*,

ſus, *Pompey*, and *Cæſar*; whoſe Intrigues and Quarrels, put the Common-wealth into long and terrible Convulſions; coſt her the Lives of all her beſt and braveſt Men, and ended at laſt in an entire diſſolution of the Commonwealth it ſelf, and of all the Civil Rights and Liberties of the People. This deſtructive conſequence had their unwary Indulgence to one Great Man, to whom they had otherwiſe the higheſt Obligations poſſible, in Contempt of their own Authority.

This may ſerve as a ſufficient Leſſon to all free States, That there muſt be no Balancing of the Services and Offences of Great Men, eſpecially in derogation to their own Authority. For that will beget in 'em ſuch an habitual Expectation and Confidence of Impunity, that they will look upon themſelves as Injur'd, whenever their Principals ſhall dare narrowly to inſpect their Conduct. This will naturally make 'em Looſe and Wanton in the Adminiſtration of publick Affairs, and Inſpire Men of an Active Daring Spirit, with Ambition, and a perverſe deſire of graſping more Power than may be conſiſtent with the Safety and Security of the People who Employ 'em.

I know ſome Men will be apt to think that I refine two nicely on theſe Matters;

and

and having been us'd to hear of other Cauſes of the Diſſolution of the *Roman* Commonwealth, will think I ſtrain this Point too far, in aſcribing ſo much to this Action of *Scipio*. I grant there are other concurrent Cauſes, which 'tis not to my preſent purpoſe to take notice of here. But I dare affirm, That none of 'em had more influence in producing the great Troubles and Revolutions that follow'd in that State, than the Debauching the Braveſt and Nobleſt Spirits among 'em, with Notions of Impunity, and a Contempt of that Authority which was their only Curb. From that time they flung off all Awe and Reverence for thoſe Magiſtrates, and gave a looſe to their Ambition, which kindl'd a Flame which cou'd never be extinguiſh'd, but with the Commonwealth it ſelf.

Among the *Athenians*, who were alſo a Brave and Wiſe People, this Practice of Impeachments was no leſs frequent, and no leſs eſteem'd than among the *Romans*. They likewiſe thought it the Security of their Government, from Domeſtick Incroachments and Uſurpations, and the only Check upon their Aſpiring Citizens. Their Government, indeed, was not of ſo ſtrong a Conſtitution as the *Roman*, and therefore as they knew themſelves

ſelves more Obnoxious to the Attempts and Intrigues of deſigning Men, ſo were the People alſo more prone to Jealouſie and Suſpicion, which might not always be over well grounded. However this diffident Temper was perhaps the greateſt Security of their State, and tho it might ſometimes expoſe 'em to the Cenſure of Ingratitude, it protected 'em a long time from the danger of a Tyranny, to which the Frame of their Government ſeem'd to lay 'em almoſt naked and unfortify'd, but for this Practice and Humour.

I ſhall confine my ſelf to three or four Inſtances of their Exerciſe of this ſort of Judicature, which I prefer to the reſt, becauſe of a fancy'd Similitude, that ſome Perſons think they have found to ſome late Caſes at Home, tho' I can't yet diſcover wherein lies the Parallel.

We ſhall firſt produce *Themiſtocles:* He was a Man of ſingular Parts and Abilities, both of Mind and Body, of great Courage and Sagacity, but withal exceedingly Ambitious. He affected Popularity, and had from a mean Extraction and Fortune, by his many and great Services to the *Greeks* in general, and to the *Athenians* in particular, made himſelf the moſt conſiderable Man for Power and Reputation, not only in *Athens*, but in all *Greece*. But preſuming

ming too much upon his Merits and Intereſt, and falling into Intrigues, which rendred him ſuſpected of affecting a Tyranny, he was Baniſh'd. During his Exile, his Friend *Pauſanias* being Convicted of Treaſon, ſome Letters and Papers were ſeiz'd about him, which imported at leaſt the Privity of *Themiſtocles*; whereupon he was Impeach'd of Treaſon, in the Name of all the *Greeks*. Great Endeavours were us'd to take, and bring him to Tryal; to avoid which, he fled into *Perſia*, and ended his Life in Exile at *Magneſia*.

The next was *Ariſtides*, a Man of great Reputation for his Probity, and good Services. But among his many Virtues, he had two great Blemiſhes, which brought him for a ſhort time into Diſgrace. One was, That Envying the Power and Popularity of *Themiſtocles*, he deſcended to bandy Factions, and oftentimes to oppoſe ſuch Counſels as he knew to be wholſome, and profitable for the State, only becauſe his Rival made the motion, whoſe Reputation he labour'd to ſacrifice at the expence of the Publick. The other was, That affecting an Intereſt, and Authority amongſt the People, he drew to himſelf the Diſtribution of Juſtice, and the Deciſion of all Controverſies, and Suits, without any Authority for ſo doing, in Derogation to the Publick

Publick Courts of Juſtice. This his Adverſary *Themiſtocles* laid hold on, and Impeach'd him for it as an Act of Majeſty, which plainly ſhew'd a deſign of uſurping the Soveraignty of the State. For this he was Baniſh'd; but after three Years, he was recall'd home, and ſpent the remainder of his Days with Honour, and Authority in his own Country.

However, this ſhort Diſgrace, ſo far cur'd both him, and *Themiſtocles*, that tho' their private Animoſity and Hatred continued, yet they came to a more honeſt accord for the Service of the Publick ever after. Some Authors ſay, That he was Impeach'd and Condemn'd for Bribery and Corruption; and *Plutarch* himſelf, makes him confeſs, That while he was Treaſurer, tho' he did not Rob the Publick himſelf, yet he knowingly ſuffer'd his under Officers to do it, and Conniv'd at their Spoil, and Plunder of the Publick Revenue, without giving 'em any Check, or Diſturbance in their Frauds, during the time of his Office. It's true, he gave 'em a ſevere Reprimand for it afterwards, but the beſt Defence that can be made for him in that Caſe, is, That he did a very ill thing, to ſay a good one, and countenanc'd Corruption, during the whole time of his Miniſtry, only for an Oſtentatious Opportor-

portunity of reproving it afterwards. It is not improbable that as much as the *Athenians* valu'd good Sayings, the Publick might think they paid too dear for this. However it may be a good Light to us, how ſome Men among us now come by their great Intereſt.

Pericles ſhall be the next. He was a Man of a Noble Family, of an Ambitious daring Spirit, a ready Wit, and a good Speaker in Publick. He aim'd early at Preferment and Grandeur; which he purſu'd rather by Intrigue, Addreſs and Management, than by open and fair Services; not but that after he arriv'd at Power, he ſhew'd himſelf capable of thoſe alſo. Knowing the fondneſs of the *Athenians*, for Pomp and Show, to make himſelf Popular, he affected an extraordinary Magnificence, and entertain'd the People with Plays, and Muſick Prizes, and contrary to his Natural Humour, which was Haughty and Reſerv'd, he deſcended to Court the Common People. After he had attain'd to Power, he return'd again to his Natural Temper, and grew Haughty and Reſerv'd, keeping the Commons at a diſtance, and huffing thoſe, whom he had us'd before to Wheedle and Cajole. He was Laviſhly profuſe, in expending the Publick Treaſure. In the height of his Miniſtry he appear'd but now and then, managing thoſe

Points

Points that were leaſt Popular and moſt Invidious by his Inſtruments, of which number *Ephialtes*, who broke the Power of the *Areopagites*, (who were the Senate of *Athens*) and thereby deſtroy'd the Conſtitution, and unbridl'd the Fury and Folly of the Mob, was one. For not being qualify'd himſelf, to be a Member of that Council, whom he thought to favour more his Rival *Cimon*, whoſe Honour, Authority, and Real Services, he Envy'd without being able to come up to 'em, he made uſe of his Power and Intereſt with the Common People ſo far, that he Embroil'd and Perplex'd 'em ſo, thro' the Management of his Creature *Ephialtes*, that he expos'd 'em to the Inſults of the Rabble, and effectually defeated all their Power, and by the ſame Arts procur'd an Oſtraciſm againſt *Cimon*, the Braveſt and moſt deſerving Citizen they had, tho' in his own diſtreſs, he was forc'd to procure him to be recall'd, in hopes of making his Peace.

Theſe Ambitious, Underhand, and Extravagant Practices, at length Incenſed the whole City againſt him: And then he was requir'd to bring in his Accounts, and Impeach'd for Waſting and Squandring the Publick Treaſure.

To avoid the force of this Impeach-

ment, not being able to make up his Accounts, he engag'd the *Athenians* in a Ruinous War. However that did not hinder, but that himſelf was Diſgrac'd, Fin'd, and Diſcharg'd from all places of Truſt.

Phocion the laſt I ſhall mention, was in the beginning, and a great part of his time, a ſucceſsful General, and an able Miniſter; but in the latter part of his time he went over to *Philip* of *Macedon*, *Alexander* and *Antipater*, whoſe Intereſts he ſucceſſively defended for ſome Years, and with as much zeal perſwaded the *Athenians* to ſubmit to the *Macedonians*, as he had before fought their Battles againſt others. And after ſome Years ſtruggle with *Demoſthenes* and others, he prevail'd ſo far as to get 'em expell'd the City, and a *Macedonian* Garriſon and Laws from *Antipater*, to be receiv'd into it, which compleated their Ruine. This rendred him ſuſpected and hated by his fellow Citizens, by whom he was at length ſentenc'd to Death, and Executed.

I ſhall only Remark further, That theſe four Great Men, laſt cited, were not without their Faults.

The firſt lay under ſhrewd Suſpicions, not without ſome Proof of his being engag'd in a Deſign of Inſlaving his own Country, and all *Greece*, for which he fled from Juſtice. The

The Second, had ſometimes apparently given up the Intereſts of his Country, but being in the main a good Man, his Correction was but light, and he was ſoon Reſtor'd to his former Power, and Dignity.

The Third, for his own Self-Ends, and to bring about his own Ambitious Purpoſes manifeſtly broke, and Diſſolv'd the Conſtitution of their Government; and at laſt to conceal his own Evil Practices and Intrigues, and to avoid Juſtice, involv'd the State in a Miſerable War, which laid the Foundation of their Ruine.

And the laſt, Engag'd obſtinately in an Intereſt plainly deſtructive of the Liberty of his Country, and through his own Power and Credit, gave the finiſhing ſtroke to it.

Upon the Balance of the whole Account, the *Athenians* will not, perhaps, appear guilty of ſo much Ingratitude towards theſe Great Men, whoſe Actions, when narrowly inſpected, will moſt of 'em be found to have proceeded from other Cauſes, than a true Love of their Country, and whoſe hard Fates are plainly owing to their own Immoderate Ambition, which engag'd in Feuds to the deſtruction of one another, in which whoſoever got the better, the

People were generally ſevere Sufferers.

It is obſervable upon the whole, that in *Rome* the Conteſts in the purer times of their Commonwealth, lay betwixt the Bodies of the Nobility and Commonalty in general, and then the Diſpute was, Whether the Commons ſhou'd be Ridden at all, or not. In *Athens* they were betwixt one *Demagogue* and another, or betwixt their *Demagogues*, and their *Tyrants*, and was not ſo much, whether they ſhou'd be Ridden at all: For that was uſually their Caſe; But who ſhould Ride 'em. By which the miſerable People, were almoſt perpetually harraſs'd with Factions, and Domeſtick Broils. However they reap'd this Benefit from theſe Impeachments, that they let their Riders know, That if they did not ſit Eaſie upon 'em, it was in their Power to give 'em a fall at any time, which made their Nobles, and Great Men obſervant of the Bounds preſcrib'd to 'em, who otherwiſe perhaps wou'd have acknowledg'd none. And in effect neither of theſe States retain'd any great ſhow of Liberty, any longer, than they maintain'd to the People a Power of Puniſhing Offenders againſt the Publick of what Quality ſoever.

Thoſe that Argue againſt ſuch a Power in the Commonalty of any Nation, uſual-

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ly urge againſt 'em Inconſtancy and Ingratitude: But that is a falſe Charge. For tho Bodies of Men are not exempt from Paſſion, Prejudice, or Miſtake, yet they are leſs liable to any of 'em, than a ſingle Perſon or a ſmall number, and always act upon a Principle of Common Security, and Intereſt; and tho' they may be ſometimes miſtaken, or miſled into a wrong Judgment, through the Craft, or Malice of Evil Perſons; yet are they not ſo liable to be Seduc'd, or Corrupted, as ſingle Perſons, or ſmall Numbers, who may more eaſily be deceiv'd and act with a more Uniform View of Intereſt, Malice, or Revenge. Thoſe that make this Objection, uſually inſtance in the Judgments of *Athens* and *Rome*. But were I to produce the Hiſtory of any one Private Tribunal in the World, for as many Months as theſe Objectors take in Years, I would not queſtion but to ſhew Errors and Corruptions ten times as many, and as foul, as are laid to the Charge of thoſe two Commonwealths.

But whether the fore-cited Judgments were juſt, or not, is nothing to the preſent Controverſie, unleſs any Perſon could ſhew us a ſort of a Tribunal, that ſhou'd be leſs liable to Miſtakes, Corruptions, and Partialities, than that of a whole Nation.

But I might fairly urge further, That the Conſtitution of our Tribunal, is yet more equal and fair to the Perſons accus'd, than any other hitherto Contriv'd in the World. For of the Three Eſtates, Two of 'em, which make the entire Body of the People, uſually enter the Compoſition of it. And if the whole People may not be truſted to do Juſtice upon one another, it will be impoſſible to find any Practicable and Equal Method of doing it. For if it be thought unreaſonable to Commit the Life or Fortune of any Member, or part of the People to the Judgment of the whole, it wou'd be abſurd to think that the Rights, Liberties and all of the whole, ſhou'd be permitted to any part of that whole, which part of that whole wou'd thereby become Superior to the whole, which wou'd have no power to defend it ſelf, but through the permiſſion of that part. The Commons therefore of *England*, ought to be very Watchful, that they part not under any pretence whatſoever with the Right of Impeachment, which is their only Legal Security againſt any Attempts or Invaſions upon the Liberties and Properties of the whole People, which they cannot be ſaid to have taken ſufficient care of, while any means remain to defeat the Tryal of Perſons Impeach'd

peach'd by a Houſe of Commons, or to Ward off the Puniſhment of Offenders when Convicted. And therefore the Parliament have made a Meritorious ſtep in defence of our Liberties, in the Clauſe laſt recited. And thoſe who through Clamour, Menaces, or Artificial Contrivances, endeavour to obſtruct their Exerciſe of that Power, whether through Malice, Partiality, or Corruption, are no leſs than Invaders, and Betrayers of the Rights, and Liberties of the People of *England*, and have further to Anſwer for the Guilt of all thoſe, that through Ignorance and their Perſwaſions and Example, are miſled into the like pernicious Practices.

Having thus fenc'd in, and ſecur'd our Religion and Liberties againſt Popery and Arbitrary Power, as far as in them lay, for all Ages to come; they proceeded to take into Conſideration, the Nomination of a Succeſſor after His Majeſty, and Her Royal Highneſs, and the Iſſues of their Bodies. And that they might depart as little from the direct Line of Succeſſion, as was conſiſtent with the Security of our Religion and Civil Rights, they ſettl'd the Reverſion of the Crown upon the Princeſs *Sophia*, Dutcheſs Dowager of *Hanover*, and the Iſſue of her Body for e-

ver, who are the neareſt of the Royal Line that profeſs the *Proteſtant* Religion.

I ſhall not here inlarge upon the Virtues of that Princeſs, or of his Electoral Highneſs her Son, or their Illuſtrious Family. To do 'em Juſtice in that Point here, wou'd look like Flattery, becauſe it is foreign to my preſent deſign. Security for our Religion and Liberties, and to preſerve the Succeſſion unbroken, as far as it cou'd be done conſiſtently with the former, were the Points aim'd at.

The firſt of 'em is, what the Laws of Nature allow, nay, require us to provide for; and the Practice of all Ages and Nations juſtifies ſuch a Proviſion. And if we have made a ſtep out of courſe, it was no more than unavoidable Neceſſity forc'd us upon, unleſs we wou'd become Parricides to our Poſterity, and Betrayers of the Rights and Liberties of all ſucceeding Generations. The Parliament therefore are not only Juſtifiable, but Commendable for this ſmall Digreſſion from the Immediate courſe of the Royal Line.

But I ſhall inſiſt no longer on this Article; becauſe, as I think, there are at preſent but very few *Proteſtants* in this Nation, who are not convin'd both of the Neceſſity and Juſtice of their Proceedings in this Settlement. As for the other Advantages

vantages which this Nation may expect to reap from thoſe, that are not ſatisfy'd with what ſome have already ſaid on that Subject, they may undoubtedly hereafter receive further ſatisfaction from other Hands, who ſhall treat more expreſly on't; for which reaſon, I ſhall not oblige my ſelf to go out of my way for it.

While the Parliament were thus honourably Imploy'd in ſecuring our Conſtitution from being Overthrown by Attempts from Abroad, they were ſo continually Alarm'd with Petitions and Complaints of Undue Returns, and Corrupt Elections, that they were juſtly ſenſible that we were in no leſs danger of being Undermin'd at Home. They were rightly apprehenſive that ſuch ſort of Merchants look'd upon their Houſe only as a place of Traffick, and that they bought only in Order to ſell, and that if they did not immediately ſtrike a Bargain for us, it was only becauſe they wanted a Chapman or expected a better Market. They were convinc'd that this Trade had long been driven, but that the Nation was never ſo openly Stock-Jobb'd as now. They ſaw, that if they ſuffer'd theſe Practices to be continued much longer, no Man wou'd be able to call his Freehold his own, but that all the Free Eſtates in *England*,

England, wou'd become the Merchandize of a number of ſmall Boroughs, moſt of whoſe Inhabitants had none of their own to diſpoſe of. Some Remedies had heretofore been provided, againſt this growing Evil, but Experience ſhew'd 'em ineffectual. And the Defect ſeem'd to lie in their Lenity and Mildneſs to ſuch ſort of Offenders. But the Law having provided no further Puniſhment, than Impriſonment by Order of the Houſe, which the conſtant courſe and practice of Parliaments has warranted, they contented themſelves with the Commitment of thoſe that had given, and thoſe that receiv'd Bribes upon the ſcore of Electing any Member to ſerve in Parliament, moſt of whom were in a ſhort time, upon a due ſenſe and acknowledgment of their Fault, and Submiſſion to the Houſe, ſet at Liberty after a Reproof of their paſt Tranſgreſſion, and an Admonition to avoid the like Crime for the future.

Thoſe Corrupt Practices ſtruck at the Root of our Conſtitution; and while they were unadverted upon, it was in vain to expect, that the true Intereſt of the Nation, ſhould be much regarded in our Publick Councils. This Evil was grown ſo familiar, that in divers Corporations, Men were Choſen, whoſe Faces had ne-

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ver been ſeen there, and their Names ſcarce heard of, till the Bargain came to be driven. Societies, and Companies, ſet up Men at the Charge of their Common Stock, and Private Perſons, who had any Point to drive at, ſpare no Expence to procure themſelves, or their Creatures, or both to be Elected. It is eaſie to gueſs what ſort of Repreſentatives theſe wou'd prove, who came thither only as Sollicitors of particular Affairs, and perhaps reſolv'd to Sacrifice all the reſt to thoſe few Points they aim'd at. This was the ready way, not only to the Subverſion of our Conſtitution, but even to the Enſlaving the Nation it ſelf. For by this means, that Power which was intruſted with ſome Men for the Univerſal Good and Security of the Nation, was converted to ſeperate Self-ends, and perhaps employ'd againſt the Intereſt of the Publick. For Ambitious Intriguing Men having the Command of ſo many Votes, wou'd naturally link together, and by Confederacy ſupport thoſe By-intereſts, againſt any Oppoſition they might expect to meet with from thoſe Gentlemen, who ſought only the Welfare of the Publick, and what might in their Opinion conduce to it. By this means, Votes became a ſort of Monopoly, and ſome Men cou'd

Truck,

Truck, and Contract for Votes, as regularly as they do for Troops in *Switzerland*.

But these Abuses, it seems, had taken too deep Root, and were too powerfully countenanc'd to be remedied with ease. For no sooner did the Commons begin, by purging their House of these Corruptors, and by examining their Agents, and the Brib'd Electors, to endeavour at a Reformation, but a certain Numerous Party, who have heretofore boasted much of their Purity, fell into Terrible Convulsions, and they, who once thought all Power too little for a House of Commons, now thought the least Exercise of it too much.

No sooner did the Commons begin to exercise that Power which the People had intrusted 'em with, to the Reformation of these Notorious Practices, than some People who had heretofore been great Assertors of the Power and Authority of the House of Commons, made it a Question, Whether they had any at all, or not? They found, perhaps, themselves, and divers Zealots of their Party, Obnoxious to the Enquiry of the Commons, and therefore were for pulling down a Power before which they could not stand Justify'd.

To this purpose all their Engines were employ'd to Batter the Power of the House of Commons, under pretence that they

they were not intruſted with the whole Power of the Commons of *England*. But thoſe that Argue at that rate, ought to ſhew what that reſerv'd Power is, which the Collective Body of the Commons is poſſeſs'd of, and has not permitted the exerciſe of to the Body Repreſentative. The Right of Legiſlature, which gives a Power of tying up every individual to certain reſtrain'd Conditions, and of ſubmitting him to Pains and Forfeitures in Caſe of a Breach of any of thoſe Conditions, is certainly the higheſt Exerciſe of Power. Yet this is deliver'd up to 'em, without Reſerve, the Power of Impeachment, Raiſing of Money by Aſſeſſment, or otherwiſe, and in ſhort, all the Powers that a People can be ſuppos'd to have over themſelves, have, conſtantly been exercis'd by their Repreſentatives, with allowance.

Nor, indeed, can it be otherwiſe. For in a Country ſo large as this, it is impoſſible to aſſemble the Collective Body of the People, ſo as to know their Senſe, or have their Aſſent or Diſſent, to any Propoſition whatſoever, otherwiſe than by Convening their Repreſentatives. Nor did the Nation ever make any formal Declaration of their Senſe any other way. For however Tumultuous and Troubleſome

ſome the Times were, tho' Men put themſelves into Arms, and ſtood upon their Guard, yet they never came to any Reſolution for themſelves, till they had Aſſembled their Deputies to declare for 'em, whoſe Judgment they always abode by, 'till a further Opportunity at leaſt of rectifying any Miſtakes by another Aſſembly.

Either therefore the Collective Body of the Commons have no Power or Right to repel Injuries, or Chaſtiſe Affronts offer'd to 'em, or that Power is Lodg'd in the Houſe of Commons, their Repreſentatives, ſince it is impracticable for 'em to Exerciſe it themſelves. If they have no ſuch Right, but muſt look to another Power not Delegated by them for Redreſs, they are then no longer Free, but have a Dependance on that Power that can grant or deny 'em that Redreſs, and conſequently are Vaſſals to that Power. But, this is more than the Adverſaries of the late Houſe of Commons pretended to maintain. For while they wou'd beat down the Power of the Houſe, they exalt that of the Commons in general, and endeavour to let looſe their Juriſdiction, in order only to make it impracticable.

Theſe large Notions of the Power of the People Collective, and theſe narrow ones of their Body Repreſentative, have been

been broach'd by the ſame Perſons, whoſe deſign was, while they own'd it in Words, to reject it in Effect; and while they Recogniz'd the Right of the People, to deſtroy the Exerciſe of it. There is another drift that ſome Men have in it, which is to deceive us in the Senſe of the People and by the help of a Corrupt, but indefatigable Party, to palm upon us, Mercenary Noiſe and Clamour, for the general Voice and Conſent of the People.

But this is plainly the ſtrugle of a few Men, back'd by a Faction, that find their Intereſt declining in the Nation, and therefore wou'd take away from the Houſe of Commons, the Power of inſpecting their Practice, and puniſhing their Inſolences. They wou'd reduce the Power of the Houſe of Commons, lower than that of the meaneſt Court of Judicature, only that they might have it in their Power to inſult it with Safety; and tho' they reſolve all Power into the Collective Body of the People, yet they wou'd allow none to the Repreſentative. But if the Collective Body has any Power over its own particular Members, it is undoubtedly in Caſes that concern the whole Body. And if they have ſuch a Power, they have undoubtedly a Right of exerciſing it. This muſt be done either by the

the whole Collective Body, or by Persons deputed or delegated by them for that purpose. By the whole Body it cannot, for they are too numerous to be Assembled, or to have their Suffrages orderly taken, and consequently it must devolve upon their Deputies, or sink. This Power must be very small, and in effect none, if it will not extend to the Punishing of an Affront offer'd to their Authority, a Priviledge which the meanest Officer in the State enjoys.

It is absurd to maintain, That the Commons of *England*, are one of the Three Sovereign Estates Independant of either, or both the other two, (any otherwise than as all together constitute our Government) and yet that they shou'd have no Right, or Power to Defend and Protect their Priviledges and Representatives, from the Invasions and Insults of their own private Members, or any Persons whatsoever. And it is absur'd to acknowledge, That they have such a Right, and yet to deny 'em the only means of exercising it,

Those that Argue against the Power of the House, generally allow all Power to be Originally in the People; but they urge, That this Power is not committed at large to their Representatives; That the

the Puniſhment of all Offences, whether againſt the Publick, or Private Perſons, is left to the Laws; and that the Laws have not made any Proviſion of Power for the Houſe of Commons to Commit ſuch Commoners, as are not Members of their Houſe; and that conſequently, all ſuch Commitments are an Uſurpation upon, and a Violation of the Liberties of the People. But theſe Gentlemen, when they deny that the Commons have intruſted their Repreſentatives with their whole Power, ought to ſhew us what Limitations their Principals had ſet to their Power, and what Branches of it they have reſerv'd to themſelves, in excluſion to their Repreſentatives. This none of 'em ever undertook to do, and therefore it will be lawful for us to preſume, that they have the whole Power, 'till ſome body ſhall ſhew us where our Miſtake lies. As for the Redreſs which the Law affords, it was intended for reparation of Wrongs and Injuries offer'd by one Private Perſon to another, or by one, or more, to the King, or whole Conſtitution in general, of which the Laws, the execution whereof was put into the King's Hands, were Judges. But it was never intended that either of the Courts of Parliament ſhou'd be oblig'd to ſue to the King's Courts

their Inferiors, for Reparation of any Injuries or Affronts put upon themſelves. Of this, the ſilence of the Laws in all Caſes Parliamentary, is a Demonſtrative Argument, that the Houſes themſelves were the only Proper, and Competent Judges of their own Rights and Privileges, and were Inveſted with a Power ſufficient to Repel and Puniſh all Injuries and Affronts offer'd to themſelves while Sitting. It is not to be imagin'd, that if they needed the Protection of Laws, the whole Body Repreſentative of the People, wou'd have been left unguarded by 'em, while the ſeparate Intereſt and Concern of every Individual Man, was ſo carefully fenc'd about. But it was always allow'd, that the Houſes had in themſelves a Power Declarative of their own Rights and Privileges, and were enabled by their Principals, to protect and defend 'em. And therefore it had been an Injury to the whole People, whoſe theſe Rights were, if they had condeſcended to Circumſcribe 'em by Written Laws.

The Injury and Indignity of ſuch a Proceeding, had been threefold.

Firſt, It is inconceivable that any one Parliament cou'd have given ſo entire a View of the Rights of the People, as not to have Omitted many things, Eſſential to their well being, and thereby for the future

future to have precluded 'em from ſuch Rights, at leaſt as far as any ſuch Act of theirs cou'd have been valid.

Secondly, They muſt have ſubmitted thoſe Rights which were Originally inherent in, and inſeparable from the People to the Arbitration of the two other Eſtates, whoſe conſent wou'd thereby have become Requiſite to their Eſtabliſhment, a hazard they ought never to be expos'd to, and of which they had no need.

Thirdly, Had they brought their whole Privileges under ſuch an Eſtabliſhment, they had thereby brought themſelves under Vaſſalage to *Weſtminſter-Hall*, and muſt have had recourſe to an Inferiour Court, ſubordinate to, and dependant on another of the Eſtates, to determine whether they were Injur'd or Affronted, and to ſue as Private Men for that Relief, which by their Original and Conſtitution they cou'd give themſelves, which were an Injury irreparable, and an Indignity unanſwerable to their Principals.

From hence we are furniſh'd with a plain Anſwer to thoſe unthinking, or evil diſpos'd Perſons, who make ſuch an unreaſonable Clamour to have the Rights and Privileges of the Houſe of Commons ſettl'd, and determin'd, which we have ſhewn in the firſt place to be impracticable

ble, and in the next to be a Breach of Truſt of the higheſt Nature in the Repreſentatives, were it feazible. It is evident therefore from the little care which the Law has taken of the Rights and Privileges of the Collective Body of the People in general, that the Exerciſe and Vindication of thoſe Rights was left wholly to their Repreſentatives, who muſt therefore be ſuppos'd to be endu'd with a ſufficient Authority to protect 'em, and to Repreſs, and Correct all Inſolencies and Affronts offer'd to 'em. If therefore they had Conniv'd at the Corrupt Practices before mention'd, which tended ſo manifeſtly to the Subverſion of our Civil Rights and Conſtitution, they had been Traitors to their Country, which had committed the Exerciſe and Protection of 'em to their Charge. And no Man that acknowledges their Power, can think they have been Rigorous or Severe in the Execution of it, when they contented themſelves to puniſh Crimes of ſo high a Nature, and ſo Pernicious Conſequences with a ſhort Impriſonment, a Submiſſion, and a Reprimand.

But if they have Power to puniſh any underhand ſecret Practices againſt the Liberties and Rights of the People, it is paſt queſtion, that they have the ſame

Authority

Authority in caſe of open Affront and Contempt, whether it be offer'd by way of Petition, Remonſtrance, Libel, Perſonal Inſult, or Menace. This, if thoſe Gentlemen of *Kent* knew, who preſented the *Maidſtone* Addreſs to the late Parliament, they made a very bold Experiment of the Temper and Courage of that Parliament, when they ventur'd to be the Bearers, and Vouchers of a Petition, conceiv'd in Terms ſo Inſolent and Affronting. And the Commons had been wanting in their Duty to the People, who Repreſentatives they are, if they had tamely put up ſuch an Inſult upon their Authority, without ſhewing their Reſentment, and thereby deterring others from following an Example of ſo dangerous conſequence.

But there were at that time a Party of Men, who knew they had offended, and therefore fear'd, and conſequently wiſh'd the Deſtruction of the Power of the Houſe of Commons. They knew there was no way ſo ready to effect this, as (if poſſible) to divide the Sentiments of the People concerning their Proceedings. In order to it, they ſtir'd up divers Turbulent, and evil deſigning Men, to ſet on foot Libels under the Name of Petitions, wherein the Proceedings of the Houſe ſhou'd be Arraign'd in Sawcy Language,

that if the Houſe ſhould not Reſent ſuch Treatment, it might be an Incouragement to a Factious Party, who were beforehand prepared, to follow the Example, and to Libel 'em, by way of Petition, all over *England*: Or if they did exert their Authority on that occaſion, they might have an Opportunity of Clamouring againſt 'em, as if they intended Arbitrarily and Tyranically to take from the Subject the Liberty of Petitioning. The Natural Conſequence of ſuch Practices as theſe, are Obvious, that they tend to inflame and exaſperate the People againſt their Repreſentatives, and by Surprize, and falſe Repreſentations to make 'em Acceſſary to the Deſtruction of their own Rights and Authority. Such Practices as theſe, deſerve the ſevereſt Chaſtizement, but the Commons who have always been very tender of the Subject in the Exerciſe of their Power, proceeded no further againſt 'em, than by committing thoſe Perſons who appear'd with, and avow'd that Petition, and thereby made themſelves the moſt viſible Authors and Abetters of it.

This Lenity of theirs was ſo far from giving a Check to theſe Vile Practices, that the Party embolden'd thereby openly Courted, Careſs'd, and Treated the Offenders, as if they had extraordinarily

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ſignaliz'd themſelves as true *Engliſh* Men, and good Patriots. Crowds of Defenders ſtarted up, who under pretence of maintaining the Freeholders Right of Petitioning, Aſſaulted the Power of Parliaments in general, and affronted the particular Members of the Parliament then Sitting. Their pretence was, That all Freeholders have a Right of Petitioning, and that no Indecency, or want of Reſpect in the Phraſe and Expreſſion, was a ſufficient Reaſon, why the Petition ſhou'd be rejected, or any Puniſhment inflicted on the Petitioners; which, as they alledge, the Houſe has upon no Account, any Right or Authority to inflict.

The Authority of the Houſe, is, I hope, already ſufficiently vindicated, and the Right of Petitioning, admits of ſuch juſt Lamitations and Reſtrictions, as will render it of little ſervice to theſe Vindicators. For tho' we admit that the Commoners of *England* have a juſt Right to Repreſent to, and lay before the Houſe their Grievances, yet ought they to do it in ſuch decent manner, as not to affront the Authority of the Houſe, and in ſuch Caſes only wherein the Petitioners themſelves are immediately concern'd, otherwiſe what ever they may call it, it is not a Petition, but a Remonſtrance, and an Im-

pudent aſſuming the Power of the whole People, who only have a Right to Direct, or Reprehend their Repreſentatives. It is a groſs Uſurpation upon the Body of their Freeholders, when a Dozen or a Score aſſemble at a Quarterly Seſſion, or Meeting, ſhall preſume without conſulting the reſt, to ſpeak the Senſe of a whole County, much more of the whole Nation. This is plain from the *Kentiſh* Inſtance, the Gentlemen and Freeholders of which County, have ſufficiently ſhew'd their Indignation, in rejecting all thoſe, who took upon 'em to carry a Libellous Petition in their Names, when they offer'd themſelves as Candidates for the Parliament now in being.

This Point of Petitioning the Parliament, is very well handl'd by a late Author, who has always been eſteem'd Canonical by that Party, and who cannot be deny'd to have been, ſufficiently tender of the Rights and Liberties of the People, whoſe Words I ſhall therefore give 'em, without alteration.

The Powers of every County, City, *and* Borough *of* England, *are regulated by the general Law, to which they have all conſented, and by which they are all made Members of one Political Body. This obliges them*

Sidney's Diſcourſes *of* Government, *c.* 3. *ſect.* 44. *p.* 451.

them to proceed with their Delegates in a Manner different from that which is uſed in the United Netherlands, *or in* Switzerland. *Amongſt theſe, every Province, City, or Canton, making a diſtinct Body, independant from any other, and exerciſing the Sovereign Power within it ſelf, looks upon the reſt as Allies, to whom they are bound only by ſuch Acts as they themſelves have made. And when any new thing, not comprehended in them, happens to ariſe, they Oblige their Delegates to give them an account of it, and retain the Power of determining theſe Matters within themſelves. 'Tis not ſo among us; every* County *does not make a diſtinct Body, having in its ſelf a Soveraign Power, but is a Member of that great Body which comprehends the whole Nation. 'Tis not therefore for* Kent, *or* Suſſex, Lewis, *or* Maidſtone, *but for the whole Nation, that the Members choſen in thoſe Places are ſent to ſerve in* Parliament; *and tho' it be fit for them as Friends and Neighbours (ſo far as may be) to hearken to the Opinions of the* Electors *for the information of their Judgments, and to the end that what they ſhall ſay, may be of more weight, when every one is known not to ſpeak his own thoughts only, but thoſe of a great Number of Men; yet they are not ſtrictly and properly oblig'd to give account of their Actions to any, unleſs the whole*

whole Body of the Nation, for which they ſerve, and who are equally concern'd in their Reſolutions, could be aſſembled.

This being impracticable, the only Puniſhment to which they are ſubject, if they betray their Truſt, is Scorn, Infamy, Hatred, and an Aſſurance of being rejected, when they ſhall again ſeek the ſame Honour. And tho' this may ſeem a ſmall matter to thoſe who fear to do Ill, only from a ſenſe of the Pains inflicted; yet it is very Terrible, to Men of Ingenious Spirits, as they are ſuppoſed to be, who are accounted fit to be entruſted with ſo great Powers.

Ibid. p. 455. *The moſt certain Teſtimony that can be given of their unlimited Power is, That they relye upon the Wiſdom and Fidelity of their Deputies, ſo as to lay no Reſtrictions upon them: They may do what they pleaſe, if they take care* ne quid detrimenti Reſpublica accipiat, *that the Commonwealth receive no Detriment. This is a Commiſſion fit to be granted by Wiſe and Good Men, to thoſe they chuſe through an Opinion that they are ſo alſo, and that they cannot bring any Prejudice upon the Nation, that will not fall upon themſelves and their Poſterity. This is alſo fit to be receiv'd by thoſe, who ſeeking nothing but that which is juſt in it ſelf, and profitable to their Country, cannot foreſee what will be propoſed when they are altogether,*

together, much leſs reſolve how to Vote till they hear the Reaſons on both ſides. The Electors muſt neceſſarily be in the ſame Ignorance; and the Law which ſhould oblige them to give particular Orders to their Knights and Burgeſſes, in relation to every Vote, would make the Deciſion of the moſt important Affairs, to depend upon the Judgment of thoſe who know nothing of the Matters in queſtion; and by that means caſt the Nation into the utmoſt danger, and the moſt inextricable Confuſion.

Hence it is plain, that the *Kentiſh* Petitioners were guilty not only of Misbehaviour, and ill Manners to the Houſe, but of a Notorious Violation of the Rights of the People, in aſſuming to themſelves a Power which belong'd only to the whole; and therefore the Houſe cou'd not without breach of Truſt, paſs over uncorrected ſuch Uſurpations upon the whole Commons, and ſuch Affronts upon their Repreſentatives with whom their Authority was lodg'd.

But if thoſe *Kentiſh* Gentlemen deſerv'd a ſeverer Chaſtiſement, than they met with, what ſhall we ſay to the unparallell'd Impudence of *Legion*, who tho' perhaps their Cabal conſiſted not of a Quarter ſo many as Subſcrib'd the *Kentiſh* Petition, nor thoſe perhaps qualify'd by their Eſtates to concern themſelves with

publick

publick Buſineſs, yet took upon them to ſpeak the ſence of the whole People, to Revile and Reproach the Houſe of Commons, in a moſt approbrious manner, and proceeded to menace 'em with Violence, unleſs they comply'd with their Demands, to the Diſappointment of all the reſt of the Nation. Theſe Men, as in ſowing Diviſion, and Diſcord, in fomenting Sedition and Inteſtine Broils, they acted the Devil's Part, ſo they took the Devil's Name alſo, and call'd themſelves *Legion*, a Name well ſuited to ſuch Diabolical and Mutinous Spirits.

The Proceedings of theſe Men, are a ſufficient Evidence of the patient forbearing Temper of the Houſe of Commons, which had they not known, they durſt not have play'd at Leap-Frog with their Authority at that rate. However, the Prudence of that Houſe is never ſufficiently to be admir'd, who without regarding theſe Anonymous Libels which were penn'd, and diſpers'd by a few hot Heads, proceeded notwithſtanding, ſoberly and regularly in the Affairs of the Publick, which theſe were fram'd purpoſely to diſturb. There is no doubt, but had theſe Men put their Names to their Letter, the Houſe wou'd have exerted themſelves with a Courage ſuitable to the Majeſty

of

of Parliaments, and we might have ſeen the whole ſtrength of *Legion*, exalted in two or three Pillories.

Theſe Tumultuous diſorderly Practices, tho' apparently ſet on foot to ſave ſome Publick Offenders, did not however fright the Houſe from proſecuting their Duty, and calling thoſe Perſons to a ſtrict Account, who had either Robb'd, or Cheated the Publick; and therefore they proceeded to Impeach ſome Great Men, who had made themſelves moſt Notorious, and Obnoxious in that kind.

The *Legion* Stratagem failing of Succeſs, all manner of Arts, and Shifts were try'd by the ſame Party to embroil 'em on Preliminaries and Punctilio's with the Houſe of Lords, who were unhappily prevail'd with to inſiſt on ſuch Conditions as ſeem'd to the Commons to make the Proſecution of Impeachments before the Lords, altogether Precarious, if not utterly impracticable. They prevail'd with the Lords to allow the Parties accus'd of the ſame Crimes, to be Judges in each others reſpective Caſes, and thereby to be aſſur'd to have a part of the Court by Intereſt, prepoſſeſs'd in their favour. They procur'd 'em likewiſe to fix a peremptory time for the Tryal of the Lord's Impeach'd, without conſulting the

the Houſe of Commons, whether they were ready with their Proofs or not, contrary to former Uſage, and the reaſon it ſelf of ſuch Proceedings.

Theſe things the Commons look'd upon as Obſtructions to the regular courſe of Juſtice, and fair Correſpondence between the two Houſes, and therefore inſiſted, That the Impeach'd Lords ſhou'd not be admitted to Vote in their own Caſes, and that a Committee ſhould be appointed to adjuſt with a Committee of the Houſe of Commons, the Time and Manner of Proceeding in order to the Tryal of the Lords. This Motion rejected by the Lords, and inſiſted on by the Commons, produc'd many unſeaſonable Heats, Angry Meſſages, and Reflecting Speeches on both ſides; one of which from the Lord *Haverſham*, gave ſuch Offence to the Commons, that they Complained to the Lords of it, and demanded Satisfaction, refuſing to proceed 'till Reparation was made 'em for the Affront offer'd by that Noble Lord. Theſe Difficulties put an end to all good Correſpondence between the two Houſes, and at length caus'd an abrupt Concluſion to the whole Matter, which ended in Proteſtations againſt the Proceedings of each other.

I ſhall not enter into the Merits of the Cauſe

Cauſe of thoſe Noble Lords, who no doubt, are able to make their own Defence when they ſhall be fairly, and regularly call'd to it. But I may be allow'd to examine, whether the Points inſiſted on by the Commons, were reaſonable or not; which, I hope, will not be thought too great a Liberty, ſince the Proceedings (Printed by Order) on both Sides, ſeem to carry along with 'em an Appeal to the Private Reaſon of every diſintereſs'd Impartial Man.

I have already treated largely of the Nature, and Importance of Impeachments in general, and therefore I ſhall have no occaſion here to enlarge upon the Difference between that, and Proceſs in Inferiour Courts. I ſhall only take notice, That Juſtice being uniform and the ſame, however different the Methods and Forms of ſeveral Tribunals may be, the fundamental Rules, by which they ought always to be guided, muſt be everlaſtingly the ſame.

The firſt thing then that I ſhall take notice of, is, That it is a ſtanding Rule, That no Man ought to be Judge of that Crime in another, whereof he himſelf ſtands accus'd. The reaſon of this Maxim is ſo Obvious, That 'tis ſcarce worth the arguing: For it is apparent to all Mankind

Mankind, that that Man cannot be unbyaſs'd in his Judgment, how Innocent ſoever he may otherwiſe be, who lies under the apprehenſion of wanting in a ſhort time, the ſame favour which it lies now in his Power to ſhew, or that he ſhou'd be ſtrictly Rigorous in his Judgment, while he conſiders that the Verdict he ſhall now give, may be of influence hereafter in his own Caſe. I know that 'tis objected in anſwer to this, That the Right of Judicature is inherently in the Peers, and that to deny 'em the Exerciſe of it, were in ſome meaſure to inflict the Puniſhment of guilt before Conviction, and thereby poſſibly the Innocent may be wrong'd.

This might indeed, be fairly Objected, were the Houſe deſir'd to take from 'em the Right of Judicature in all Caſes whatſoever. But when they demand no more than a Suſpenſion of the Exerciſe of it in their own Caſes only, it is but what the Rules of Juſtice require, and all Tribunals in the World allow. In Inferiour Courts, every Man is *Rectus in Curia*, who has not forfeited his Credit, by being Convict of Perjury, or other Crime, for which the Law invalidates his Teſtimony, and may challenge from the Court an equal regard to what he ſhall offer as a Witneſs, unleſs it be in his own Caſe.

There

There the Law ſuſpends his Right of Teſtimony, becauſe 'tis preſum'd, that he has too ſtrong a Biaſs upon him to tell the whole and plain truth, if that ſhou'd happen to make againſt him. The Law therefore holds him *ſuſpected*, not from any Proof that he has ever forfeited his Integrity and Veracity, but from the Temptation that he lies under to do it now. So alſo ſhou'd four Men be ſeverally indicted for the ſame, or indeed for different Crimes, the Law will not ſuffer any of 'em to be Impannel'd on the Jury for the Tryal of the reſt. The reaſon of this, is as obvious as the former; they lie under too ſtrong a Temptation to favour one another. It will avail 'em little to ſay, That there is no arguing from an Inferiour Court to a Superiour; and that the latter is not bound to the Rules of the former. For the Rules of Juſtice are eternal and immutable in all Courts, and no Rights or Privileges of any Court, from the higheſt to the loweſt, ought to be pleadable againſt 'em. But whenever ſuch are pleaded, they are *Ipſo facto* void in themſelves, and the Pretenſion to 'em, ought for ever after to be taken away. If indeed we cou'd be convinc'd, that Peers are of a different Stamp from the reſt of Mankind, and that

they have such an inseparable Love and regard for strict Justice, that no consideration of Security, or Interest, cou'd possibly move any one of them to depart in the least from it in favour of himself or Friend in his own Case, then what the Commons insisted on, was unnecessary and unreasonable, otherwise the contrary. But then an Impeachment upon any Score or Pretence whatsoever, ought to be made *Scandalum Magnatum.*

The next Point insisted on by the Commons, was that the Time of Tryal, and the Manner of Proceeding, shou'd be adjusted by a Committee of both Houses. This the Lords absolutely refus'd, alledging, That the Right of Judicature was wholly and solely in them, and that the appointment of Time, and Place, and Circumstance of Tryal, as Branches thereof, appertain to them only; and that the appointing of such a Committee wou'd be a departure from the Rights of their House, which they cou'd not consent to. I shall not here trouble the Reader with Precedents, tho' both sides insisted on them, tho' by the way, one positive Precedent outweighs the want of 'em in a hundred Instances, because it proves, that at such a time the Point in question was granted. But I wave 'em all, because I think no Precedent

cedent or Number of Precedents whatſoever, ought to be of any force againſt the reaſon of the Caſe, which therefore I ſhall proceed to examine.

The reaſon why Courts of Judicature are intruſted with the Power of appointing Time and Place for the Tryal of ſuch Cauſes as are brought before 'em, ſeems to be principally this, That the Honour and Integrity of the Court, is a better ſecurity to the Publick, that Juſtice ſhall be fairly and impartially Adminiſter'd, than that of any private Complainant can be, who might, if that Power were lodged in him, be prevail'd upon by Hatred, Revenge, Intereſt or other private Conſiderations to delay, or precipitate Matters, ſo as might beſt ſerve his own Purpoſes. Beſides it were highly unreaſonable to ſpend or waſte the time of the Court, at the Pleaſure, or Diſcretion of any particular Perſon. But the Caſe is quite other between the Lords and Commons, than between the Bench, and a private Plaintiff, in any of the Inferiour Courts. The Honour of a Houſe of Commons, is every whit as Sacred, as that of the Houſe of Lords; and the Nation does with as much Confidence rely on their Candour and Integrity, as on that of the other Houſe. It does not therefore appear to

me, why the Practice ſhou'd be the ſame, where the Reaſons are ſo diſproportionate. If a Houſe of Commons ſhall find ſufficient Grounds to believe any Perſon guilty of great Offences againſt the Publick, and yet not have Evidence enough then ready to amount to a Formal Conviction, they have no doubt, juſt reaſon to Impeach that Perſon, and thereby to ſhew their Senſe of his Miſdemeanours; but they are not therefore to be hurried precipitately to a Tryal, without an allowance of time to produce full Evidence, of the meaſure of which, they only are the Competent Judges, becauſe they only have been let into the Myſtery of that Iniquity whereof they complain, and can only diſcern how long time it may require to bring all the neceſſary Proofs together. Beſides Impeachments from the Houſe of Commons, being Matter of National Concern, no tenderneſs for particular Perſons, how Innocent ſoever they may be ſuppoſed, ought to be put into the Scale againſt the Publick Peace, and Security. Not to mention the Affront which is put upon the Juſtice, or Wiſdom of the Houſe, to preſume before Tryal, that any Perſons are Innocent, whom they have found Cauſe to Accuſe in ſo Solemn a Manner, it is a Wrong to

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the Publick, and an Incouragement to Offenders to cramp the Commons ſo, either in Time, or other Circumſtance, as that Matters may not be fairly expos'd in a full and true light. Now how the Lords, who know not from what Quarter the Evidence is to come, ſhou'd, without conſulting the Commons, be proper Judges of the time requiſite to produce 'em, is to me altogether inconceivable. In Inferiour Courts where there is no ſuch reaſon to have regard to the Proſecutor, as in this Caſe; the Proſecutor, or Plaintiff, may upon any fair Allegation offer'd, be allow'd time, to make good his Proofs. But if this be reaſonable in the Caſe of Private Men, much more is it ſo in the Caſe of a whole Nation, where beſides the Dignity of the Proſecutors, and the Importance of the Tryal, the Proſecutors themſelves are otherwiſe taken up with a vaſt Variety of Buſineſs of the moſt Momentous Conſequence, and cannot ſo cloſely intend any one Matter, as Private Perſons may. Add to this, that ſometimes the Quality and Power of the Perſons Accus'd, is ſuch, as makes the Proſecution difficult, by rendring all things Intricate and Perplex'd. Upon theſe Reaſons, I think the *Commons* very Juſtifiable for inſiſting on a

Committee of both Houſes to adjuſt the Time, and other Circumſtances of the Tryal, which they cou'd not depart from, without hazarding the Cauſe of the Nation. For, tho' I will ſuppoſe, as I ought, that the Lords meant nothing more than to do Impartial Juſtice, yet I think they cou'd not be ſure of that, if they did proceed to Tryal, before the Commons gave 'em notice that they were ready. For thereby they might prevent the coming in of Evidence, who upon longer warning might have been had. And we are in Juſtice to the Commons bound to believe that it was upon ſufficient Reaſons that they deſir'd it might be ſo. If I cou'd any ways ſee how ſuch a Committee as the Commons deſir'd, might be an Infringement of the Lords Right of Judicature, I cou'd eaſily reſt ſatisfy'd in the denial of it. But as it did not diminiſh their full and free Exerciſe of Judgment, but tended, only to the more orderly and fair proceeding at the Tryal; their refuſal of it, ſeems to be intended only to ſhew a ſort of Soveraignty over the Commons, whoſe Attendance in ſuch Caſes they could Arbitrarily command, when and where they pleas'd. How unreaſonable the pretence to, and how impracticable the exerciſe of ſuch a Power is at this

this time, when both the Reaſons and the Means of it are ceas'd, it were not hard to ſhew. But Retroſpection is grown Invidious, and I ſhall wave all further Inquiſition into the Matter, tho' I meet with Precedents, and Provocations enow on the other ſide, to act the contrary.

A third *Remora* was, That at a Conference the Honour and Juſtice of the Houſe of Commons was thought to be reflected on by a Noble Lord, which being reported to the Houſe, was ſo far Reſented by 'em, that they Complain'd of it to the Lords, refuſing to proceed till Satisfaction was given 'em in that Point.

Thoſe that think this a ſlight matter, may be pleas'd to conſider, that the Honour of all the Commons of *England* was concern'd in it, and that their Repreſentatives had not been fit to be entruſted with the Protection of it, had they tamely ſuffer'd it to be trampl'd upon, which had been their Caſe had they put up this Affront.

Notwithſtanding theſe Commotions in both Houſes, the Publick Buſineſs went forward, and the Parliament being juſtly ſenſible of the Danger we might be expos'd to, if the Nation was left unguarded at this Juncture, Voted on the 26th of *February, Thirty Thouſand Men to be employ'd*

in the Sea Service for the Summer Guard, and allow'd 'em Four Pounds per *Man a Month.* This care of the Parliament was ſo well ſeconded by the Seamen, that all the Ships appointed for that Service, ſoon had their full Compliment.

And that we might not provide for our ſelves only, and leave our Allies expos'd, upon a Meſſage from the King to acquaint 'em with the Apprehenſions of the *States General*, and their Deſires of Succour, they immediately Voted, *That they would ſtand by, and enable His Majeſty to ſupport and Maintain the Defenſive Alliance Concluded with the* States General, *on the* 3*d of* March, 1677; by which Treaty we were oblig'd to furniſh 'em with a Number of Troops, in Caſe a War ſhould break out between them and *France.* Here we may obſerve the readineſs of that Parliament, to ſuccour and relieve our Allies. For tho' we were not by that Treaty oblig'd to ſend over any Forces, till they were Actually Attack'd, yet the Parliament Voted, and Order'd 'em to be got ready, and ſent over with all convenient Expedition; for which Readineſs, His Majeſty gave the Houſe of Commons, his particular Thanks. After this, it is matter of juſt Surprize to hear ſome Perſons tax 'em with backwardneſs in that Affair,

Affair, and ſo Impudently give the Lye to the King's Speech on that Occaſion, eſpecially when we conſider that the *Dutch* have now already had thoſe Forces the beſt part of a Year before our Engagement commences, no Attack having yet been actually made upon 'em, nor can we gueſs when there may.

While the Parliament were examining former Treaties, and Adviſing New ones to be made with the ſeveral Princes and States of *Europe*, the *Partition Treaty* fell under their Conſideration and Cenſure, and was Unanimouſly Condemn'd by both Houſes, as the Occaſion of the King of *Spain*'s Will, and the Interruption of the Peace of *Europe*, which was likely to follow. They cou'd not thereupon but reſent the Injury that was offer'd to His Majeſty, by thoſe that adviſ'd that *Treaty*, and ſaw with Indignation, that after the many Hazards His Majeſty had run, and the Fatigues he had ſuſtain'd, and the great expenſe of Treaſure, that almoſt all *Europe*, eſpecially *England*, had been at, we were at laſt by one indiſcreet Bargain chous'd of the fruits of all our Blood and Treaſure, and reduc'd almoſt to a Moral certainty of making War upon more unequal Terms than we began before, without knowing by whoſe

Contrivance

Contrivance we were thus Over-reach'd. Both Houſes did therefore in their humble Addreſſes to His Majeſty, ſeverally expreſs their Senſe and Abhorrence of that Treaty, which they fear'd might prove fatal to the Peace and Liberties of *Europe*, and which they found to have been Communicated only to, and tranſacted by a private *Cabal*, of a few of the Miniſtry then in being. This provok'd 'em the more, becauſe it was concluded while a Parliament was ſitting, and none of thoſe Miniſters to whom it was Communicated, had adviſ'd, that the Parliament might be Conſulted upon it. The ſeveral Minſters to whom it was Communicated, have deny'd that they did either Adviſe, or Conſent to the making of that *Treaty*; and therefore I ſhall not pretend to lay it at their Door, but leave time to make a more ample Diſcovery of that Intrigue, tho' to the Houſe of Commons, the Matter appear'd otherwiſe than they alledg'd, as by their Second Addreſs on that Occaſion, is ſet forth.

But ſince divers Perſons have taken the liberty to juſtifie that *Treaty*, and the Advantages of it, and to Tax the Commons both in Print and otherwiſe, for Addreſſing to have thoſe Lords remov'd from His Majeſty's Preſence and Councils, I may

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be allow'd in anſwer to 'em, to maintain the Juſtice of their Conduct in that point, and to obſerve the pernicious Conſequences of that *Fatal Treaty*, as the Lords in their Addreſs are pleas'd to ſtile it. In order to which, I ſhall make it appear.

Firſt, That the late King of *Spain*'s Will, was the Product of the *Partition Treaty*.

Secondly, That if *France* had abode by the *Treaty* of *Partition*, the Ballance of *Europe*, had been as effectually broken, as it is now.

Thirdly, That whoever Advis'd the King to enter into that *Treaty*, they ought not to be intruſted with the Adminiſtration of the Affairs of *England*.

It was viſible to all diſcerning Men, that when the *Treaty* of *Ryſwick* was ſet on foot, the Pride of *France* was exceedingly humbl'd and a very conſiderable Check was given to her Monarch's Ambition. The giving up of ſo many large Countries and ſtrong Places, was a demonſtrative Argument that he deſpair'd of Inlarging his Dominions, or even of preſerving what he had gotten entire by force of Arms, while the Confederacy then in being againſt him, remain'd unbroken; *Lorrain*, *Orange*, *Rouſſillon*, &c. ſome of 'em already incorporated with the Body

Body of *France*, were Morſels too delicious to be parted with upon any Conſideration unleſs Neceſſity. But the Lyon's Skin not prevailing, he put on the Foxe's and reſolv'd to attempt that by *Treaty*, which by force of Arms he ſaw would miſcarry. The *Spaniſh* Succeſſion was the Quarry he had in view, and the State of that King's Health gave him juſt grounds to believe that the Critical time to bring about his purpoſes, was at hand. The different Terms on which the Emperor and he ſtood, in the good Graces of *Spain*, gave him little reaſon to hope for any thing from the Affection of the Prince, or States of that Monarchy. And the unſucceſsful poſture of the War at that time, gave him as little proſpect of Seiſing on the Dominions of that King by Violence. For the *Spaniards*, with the help of their Confederates, wou'd have been as able to have defended their Country againſt his Invaſion, if their King had Dy'd during the War, as they were during his Life time. The known weakneſs of that Prince, will not ſuffer us to ſuppoſe that his Preſence added much Spirit, Vigour, or Wiſdom to the *Spaniſh* Councils. And it may, perhaps, be no Injuſtice to the Aſhes of that Prince, to ſuppoſe that in ſuch a Caſe the *Regency* of the *Queen* 'till the

the *Arch-Duke* had arriv'd, might for the time have produc'd e'ry whit as great things as the Government of the King. If then the Death of that King, in the time of the War, wou'd have been no Acceſſion of Strength to *France*, nor Diminution to *Spain*. *France* had no ground to think her ſelf able to force a King upon the *Spaniards*, contrary to their own liking, eſpecially when the Emperor, and moſt of the Princes and States of the Empire, who had hitherto been Neuters, or little more, ſhou'd be oblig'd by Intereſt, to fall with their whole weight into the oppoſite Scale. For if ſhe had not been able in ſo long and ſo Vigorous a War, to make any conſiderable Impreſſion upon *Spain*, ſhe was leſs likely to do it, when *Spain* was more ſtrongly Confederated and Supported.

Theſe Conſiderations oblig'd the King of *France* to alter his Meaſures, and to think no Price too dear to purchaſe the Treaties of *Ryſwick* and *Partition*. The Emperor had been engag'd in a long War againſt *France*, purely in defence of *Spain*. This good Service, together with the Natural Affection of the *Spaniards*, to the *Houſe* of *Auſtria*, had procur'd a Will in favour of the *Arch Duke*, in oppoſition to the *Houſe* of *Bourbon*. The Aim of *France*,

was

was to get this Will revok'd, which was not likely to be effected, while the War continued on the Foot it then ſtood. For while a good Correſpondence was maintain'd between the *Emperor* and *Spain*, and the latter was ſo well Encourag'd and Supported by her Confederates, as to ſtand in no Awe of *France*, it was not likely that any thing ſhou'd be done there, to the Prejudice of an Old and Strict Ally, both in Blood and Intereſts in favour of an Ancient, Formidable, and Profeſs'd Enemy. The only way therefore that *France* had left to compaſs her Ends, was by dividing the Confederates in that Point, to oblige *Spain* either through Diſguſt, or Fear, to drop the Intereſts of the *Houſe* of *Auſtria*. This was effectually brought about by the *Partition Treaty*. For no ſooner did the *Spaniards* hear of this *Treaty*, than by their Miniſters here and at the *Hague*, they Remonſtrated, and Complain'd in very ſharp Terms, of the Injury we did 'em, by pretending, without their Conſent, to diſpoſe of their Dominions. This was ſo reſented here, that their Ambaſſador was ſent away in Diſgrace; and the *French*, who know how to improve ſuch Opportunities, very artificially widen'd the Breach. They inſinuated to the *Spaniards*, the little regard

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We and the *Dutch* had for 'em, and that there was no relying on the Friendſhip of ſuch Confederates, who cou'd ſo eaſily conſent to the Diſmembring of their Monarchy, and promiſe Aſſiſtance towards the tearing ſo many fair Kingdoms and Provinces from 'em, without any Conſideration. They repreſented to 'em, That when with our Aſſiſtance, Their Maſter was poſſeſs'd of the Kingdoms of *Naples*, *Sicily*, &c. the Dutchy of *Milan*, and the Province of *Guipuſcoa*, the Marquiſate of *Final*, and the ſeveral *Iſlands* in the *Mediterranean*, they wou'd be in a manner ſurrounded by him, and muſt lie at his Mercy, if at any time, he, or his Heirs ſhould think fit to aſſert their Title to the whole. They Inſulted us, and the *Dutch*, and in a Sarcaſtick way extoll'd Our and the *Dutch* Generoſity, in Stipulating nothing for our ſelves to maintain the Balance againſt ſo great a weight thrown by us into the Scale of *France*. They urg'd to 'em, That it was better by a Voluntary Submiſſion to their King, and deſiring a Prince of *France* to fill their Throne, to purchaſe his Favour and Friendſhip, and continue ſtill an Independant Monarchy, than by a Vain Oppoſition to provoke him to make 'em his, as well by Conqueſt, as Right, and ſo become the Vaſſals

of

of another Kingdom. Theſe Arguments, and perhaps, ſome Gold (of which the *French* are no Niggards, when a good Bargain is to be driven) to Cardinal *Portocarero*, and other Principal Grandees, quite ruin'd the *Auſtrian* Intereſt, and procur'd a New Will in favour of the Duke of *Anjou*.

Thoſe that tell us, that this *Treaty* was ſubſequent to that Will, or at leaſt to the reaſonable Apprehenſions of it, and was deſign'd merely to Obviate it, know they prevaricate, and intend only to deceive the unthinking part of the People; for with the reſt it can't paſs. It is now no Secret that there was on foot a *Treaty* of *Partition*, in favour of the Prince Electoral of *Bavaria*, preſently after the Peace of *Ryſwick*, when no Will in favour of *France* was ſuſpected; but on the contrary, it was well known, there was one then in being, by which the *Arch Duke* was Conſtituted and Appointed Heir and Succeſſor to all the *Spaniſh* Dominions. And perhaps, the foreſight of ſuch a Treaty, was none of the leaſt Motives to *France*, to conclude a Peace upon any ſupportable Terms. For *France* was very ſenſible that if the King of *Spain* Dy'd with his Sword in his hand, it would be exceeding difficult, if not impoſſible, for a Prince of

France

France to ſucceed to his whole Dominions; and therefore it was neceſſary, by a Peace, to diſarm the Confederates, and if poſſible, to break the Confederacy it ſelf, which was effected by the *Treaty of Partition.*

Thoſe that tell us, That the Will was the Product of *French* Gold, and fine Promiſes, come ſomewhat nearer the Truth; but they don't tell the whole Truth. For tho' we grant, that Bribes, and large Promiſes, might prevail on *Portocarero,* and others of the *Grandees,* to perſwade their King to make that *French* Will; yet it was the *Treaty of Partition,* that furniſh'd 'em with the Arguments that mov'd that Prince to Comply, contrary to his known Inclinations. For wanting the Cunning to penetrate into the Depths of their Intrigues, he ſuffer'd himſelf firſt to be ſurpriz'd by, and then Surrender'd to their Plauſible Arguments, which he wanted Capacity to anſwer, and Courage to ſlight. The ſpecious Pretences of Tranſmitting his Dominions independant and entire to his next Succeſſor, and the eaſing his Subjects of the Apprehenſions of a Terrible Deſtructive War in the Bowels of their own Country, and from the Slavery which he fear'd, was to follow at the Heels of it, muſt needs have a mighty

influence on a Short-ſighted Prince, who ſaw thro' falſe Opticks. Add to theſe, that a mixture of Reſentment, to ſee his Dominions diſpos'd of, and ſhared before his Death, by thoſe whom he thought had no Right to do it, might contribute not a little, to make him deſire to defeat their Deſigns, and conſequently to conſent to the means of doing it, which were propos'd to him as the only certain ones. It is plain therefore, that tho' *Portocarrero*, and the *Grandees* of his Cabal might be gain'd to the *French* Intereſt, by Gold and great Expectations, the King himſelf, who knew not that, was prevail'd upon by the *Treaty of Partition*, to go into their Meaſures and Counſels.

But to proceed to our Second Head. Let us for once ſuppoſe it reaſonable to truſt to the Solemn Engagements of *France*: Let us imagine the *Treaty* to be ſtrictly obſerv'd on both ſides, and we ſhall ſee, that however the Balance of *Europe* had been as effectually broken; and that the *Arch Duke* muſt have been little more than a King of Clouts. The Poſſeſſion of *Naples* and *Sicily*, and all the *Spaniſh* Dependencies on the Coaſt of *Tuſcany*, with the adjacent Iſlands, *Santo Stephano*, *Porto Hercole*, *Orbitello*, *Telamone*, *Porto Longone*, *Piombino*, *Final*, with the Marqui-

Marquiſate belonging to it, *Fontarabia*, St. *Sebaſtian*, with the whole Province of *Guipuſcoa*, &c. gave 'em ſuch a Number of good Harbours in the *Mediterranean*, that the advantages of 'em improv'd with their uſual Application and Judgment, muſt have made 'em in a ſhort time abſolute Maſters of the *Mediterranean*, and in conſequence of that, of the *Ocean* alſo. How far this wou'd have gone towards that Univerſal Monarchy, which *France* ſo paſſionately longs for, the meaneſt Capacity may Judge. By this means, the *Pope*, the *Tuſcan*, the *Genoeſe*, and the *Spaniard*, had been directly lock'd up, not a Ship belonging to any of 'em, durſt have peep'd out of Harbour, without a *French* Paſs. The *Spaniſh Flota* wou'd conſtantly and inevitably have been at their Mercy; for all their Commerce with their *Weſt-Indies*, muſt neceſſarily have ceas'd, and the King of *Spain* how much ſoever he might have Stomach'd it inwardly, muſt have lain as ſtill as King *Log*, while the *French* play'd at Leap-Frog over him. The leaſt ſhew of Reſentment, would have furniſh'd him with a pretence to ſeize on the Treaſures of the *Weſt-Indies*, and like a kind Neighbour to have Convoy'd the *Galleons* into their own Harbours.

It is frequently objected, That if the

Share allow'd *France* by the *Partition Treaty*, would have enabl'd her to have done this, much more muſt the Addition of *Spain*, *Flanders*, and the *Weſt-Indies* do it, by adding ſuch an extent of Territory, and ſo many Ports more, of all which he is quietly poſſeſs'd by his Acceptance of the Will. But tho' it may ſeem Paradoxical to maintain the contrary, the Paradox however, is not ſo extravagant, as true: For had the *French* contented themſelves with the Share by us alotted 'em, (which was great enough in a few Years, to have anſwer'd all their Purpoſes) they muſt have been ſuffer'd to have taken quiet poſſeſſion of it, or We, and the *Dutch*, had been oblig'd to have aſſiſted 'em againſt all Oppoſers. Such a Conjunction wou'd have been irreſiſtible to all the reſt of *Europe*. If then they had reſted themſelves for a while in appearance ſatisfy'd, and turn'd themſelves with all their Application to the Improvement of their Ports, and Navigation, the augmentation of their Fleets, and Naval Stores, to as great a Strength as their Ports was capable of receiving and harbouring, they might in a few Years have arriv'd at a Naval Power that might have been terrible to the whole World, which ſeems to be the only thing they want, to procure

procure the Dominion they ſo much covet. Nor cou'd we, how apprehenſive ſoever we might have been of the fatal conſequence of thoſe Preparations, have prevented 'em. For our Hands being bound by our *Treaty*, we cou'd have no juſt ground of Quarrel to *France*, for making the beſt uſe that ſhe peaceably cou'd, of what we our ſelves had given her. We muſt therefore have ſuſpended our Indignation, 'till by ſome Warrantable Provocation, *France* had diſſolv'd the Tie upon us and the *Dutch*, had given us liberty to provide for own Security, which might not have been 'till it was too late.

But by the Acceptance of the Will, contrary to the *Treaty*, ſhe has Cancell'd the Obligation that lay upon us, and given us, and all the reſt of *Europe*, timely notice to provide for our ſelves, and reduce her to ſuch Bounds, as may be conſiſtent with the Safety of her Neighbours, before ſhe can make any real advantage of Strength from her new Acquiſitions. For as the Caſe now ſtands, *Flanders*, *Italy*, and even *Spain*, and the *Weſt-Indies* themſelves, are no more than mighty Incumbrances upon *France*, who alone muſt take the whole defence of 'em all upon her ſelf. This muſt drain her of ſuch Prodigious Numbers, and Quanti-

ties of Men, Shipping, and Treaſure, that if a War be joyntly, and vigorouſly proſecuted by the Potentates of *Europe*, as their Intereſt directs, ſhe ſeems to be in danger of being totally exhauſted. In this therefore, the acceptance of the Will, is more favourable to us, than the *Treaty* of *Partition*, by which we were in danger of loſing all, and cou'd poſſibly get nothing. But in the preſent Caſe, the *Weſt-Indies*, now in the Poſſeſſion of an Enemy, preſent us with an Inviting Proſpect of ample Recompence Price, and Reward for the Trouble and Expence we ſhall be at to defend our own Liberty, and the Liberty of *Europe* in general. But if *France* had adher'd to the *Partition Treaty*, that Proſpect had then Vaniſh'd, and we cou'd have expected nothing but dry Blows, from a Rupture with *France*. For then the *Weſt-Indies* wou'd have belong'd to the *Arch Duke*, and we had had no pretence to enterprize any thing againſt 'em, becauſe they belong'd to a Prince in Amity with us, and ſo we had been cut off from our faireſt View, thoſe Countries only affording us any Matter or Hopes of Repriſal. And whereas now what we give towards the ſupport of a War, ſeems to be but a kind of Venture to Sea, which may return again with great Profit, which

makes

makes us contribute with Alacrity towards the Charges of ſuch a War; In the other Caſe, we ſhou'd pay Taxes with heavy Hearts, as knowing what was given to be ſunk for ever, and that we reſembl'd a Trading Veſſel in a Storm, that was forc'd to fling her Goods Overboard to compound for her Carcaſe.

Another difficulty that *France* now lies under, by the Acceptation of the Will, is that ſhe muſt be oblig'd to maintain divers conſiderable Armies, in Places very far diſtanr frome one another, if the Confederates ſo pleaſe to diſtract 'em. There muſt be one in *Flanders*, another in *Italy*, a third on the *Rhine*, a fourth in *Spain*, and perhaps a fifth in the *Weſt-Indies*, if they will defend thoſe Parts from thoſe Troops, which may be ſent thither; and from the Swarms of *Buccaneers* and *Pirates*; who, upon promiſe of Pardon, and hopes to ſhare the Plunder of that Rich Country, will undoubtedly, all of 'em, to a Man, join the Confederates. To theſe many, and Numerous Armies, the *French* Fleet muſt be proportionable, that they may be able to protect, and defend their Coaſts, and Merchants againſt ours, and the *Dutch* Fleets; and the Shoals of Privateers, that upon promiſe of Free Prize, will be ſent out here, and in *Hol-*

land; otherwiſe their diſtant Armies will be in danger of Periſhing, particularly that of *America*, for want of Recruits, Proviſions, and all Neceſſaries, which can only be furniſh'd 'em by Sea. All theſe Conſiderations put together, may, perhaps, induce us to believe, that *France* is really much the weaker for the Acceptation of this Will, and having ſo many large and weak Dominions to defend; which muſt neceſſarily, if they be Attack'd in time, exhauſt, and impoveriſh her exceedingly. For as on the contrary, the *Partition* Share, wou'd have been a great acceſſion of real Strength, which no Body durſt have Quarrell'd with her about, while we and the *Dutch* were oblig'd to back her in the defence of it.

A Man that weighs theſe things Seriouſly, and Impartially, muſt needs be ſurpriz'd at our Conduct, and wonder what induc'd us to give ſo many fair Kingdoms, Provinces, and Ports to *France*, without the leaſt Article in our own favour, or any Caution whatſoever, to bind *France* to her good Behaviour, and the true Obſervance of the *Treaty*. It was plain, that even ſo, ſhe might, in a ſhort time, take from us, and all the World, the whole Trade of the *Mediterranean*, the *Streights*, the *Levant*, and both the

Indies.

Indies. This muſt neceſſarily have been the ſpeedy Ruine both of us, and the *Dutch*, whoſe Wealth and Strength depend mainly on Trade. Wiſe Men have wonder'd, how we cou'd conſent to ſuch Terms, as muſt neceſſarily make the Proſecution of Trade, the true Spring of all our Wealth, precarious, and perhaps in a ſhort time utterly impracticable. They have wonder'd what ſort of Miniſters we had at that time, who cou'd ſo eaſily give away in the *Cabinet*, what at a Prodigious Expence we had ſo nobly defended in the Field. It made ſome reflect on an Emblem that was contriv'd for us, about the time of that *Treaty*, in a Neighbouring Country, wherein the *Engliſh* Lyons were painted with Calves Heads. How our Miniſters will get clear of this Emblem, I know not: But I cou'd be content to excuſe 'em, upon any good reaſon, tho', perhaps, the true one is never to be known.

It will be but a ſlender defence of thoſe that advis'd, or knowingly ſuffer'd the King to enter into this *Treaty* to alledge, That they did it to bind *France* by a Solemn Ingagement from the Acceptance of the Will, in caſe one were made in her favour, as it has ſince happen'd. For the Treachery of *France*, and her Violation of Oaths, and Treaties, whenever it ſuted her

Purpoſe, has been their conſtant Theme, and perhaps their greateſt, if not only Merit, and Service to their Country. They ought therefore to have Repreſented to His Majeſty with all Earneſtneſs, how little they expected, that *France* wou'd keep Faith, and good Meaning with him, eſpecially ſince no Security, or Expedient whatſoever, was propos'd, whereby ſhe might be oblig'd to it. They ought to have urg'd to him, the danger of tying up his own Hands, and the Hands of the *States General*, by a Treaty which wou'd infallibly leave *France* at Liberty. If they plead, That out of a foreſight of this Will, they compounded with *France* for a part, to keep her out of the Poſſeſſion of the whole, they muſt prove two things:

Firſt, That *France* was grown leſs Ambitious of Univerſal Monarchy, and leſs diſcerning of her Intereſts than heretofore. And,

Secondly, That ſhe was grown more Honeſt, and more obſervant of her Faith given.

For otherwiſe, they will lie under a ſcurvy Dilemma, of betraying the Intereſts of *Europe*, either through Ignorance, or Corruption, both of 'em ſuch Blemiſhes as unqualifie 'em for Stateſmen. For by this *Treaty*, they put into the Hands

Hands of *France*, ſo much of the *Spaniſh* Dominions, as inabl'd her to take *Spain* whenever ſhe pleas'd.

I am confident that no Impartial Man will think that ſuch Miniſters as could through Ignorance, Inadvertency, or any other worſe fault, Adviſe, or even not diſſwade the Concluſion of a *Treaty*, whoſe Conſequences might have prov'd ſo fatal to *England*, and to all the reſt of *Europe*, ought to be ſuffer'd to have any hand in the Adminiſtration of the Affairs of the Publick for the future. It would be but a lame excuſe, to ſay that the Matters offer'd to their Conſideration, were of ſo high Importance, as they durſt not preſume to adviſe the King in 'em, but left 'em wholly to his Wiſdom, on which they might rely. For what is the Buſineſs of a Privy Councellor, but to adviſe the King in all difficult and important Caſes, to eaſe him of part of the Cares and Fatigues of a Crown? If a King muſt in all Caſes of difficulty rely on his own Wiſdom alone, to what end are Councellors and great Miniſters entertain'd about him at ſuch an extraordinary Charge to the Publick? But Councellors, and great Officers, are rais'd to thoſe Poſts of Honour and Profit, on preſumption of their great Abilities, and Faithfulneſs to Adviſe the King for

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the good of their Country, and in all his moſt weighty and Arduous Affairs, which if they either will not, or cannot do, they ought to make room for Men of more Wiſdom, Courage, and Integrity. The Concerns of a Nation, eſpecially in difficult times, are too heavy for any ſingle Man's Shoulders; and if thoſe, who are appointed for his Relief and Aſſiſtance, be Unfit for, Remiſs, or Unfaithful in their Service, it is impoſſible but he muſt make many and dangerous Trips. If the ordinary Miniſters of State think any matter of too great conſequence and difficulty for them to Undertake or Adviſe, leaſt the Nation ſhou'd run any extream hazard by their Miſtakes, it is then their Duty to deſire the King to Conſult his Parliament, if any be ſitting at that time, or can be call'd together before a neceſſity of Determination. No other Conduct can excuſe 'em from a Neglect, or Breach of their Truſt. If they Adviſe, they are anſwerable with their Heads for the Damage the Nation may ſuffer by their Advice; if they do not Adviſe, they ought to reſign their Places, and make room for thoſe that ſhall fill 'em better for the Service of the Nation. But if they will neither do the Duty of their Places themſelves, that is, Adviſe the King freely in

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all Matters of extreme Concern, nor will make way for thoſe who would do either, or both, they ought to be remov'd from about the King, as uſeleſs and dangerous Perſons. And ſince no Body can with ſo much Authority repreſent to His Majeſty the danger of having ſuch Perſons about him, as will neither do the Duty of their Stations themſelves, nor ſuffer others to do it, but while they Arrogate abundance to themſelves, reject all the Miſcarriages upon the King himſelf, the Repreſentatives of the People have reaſon, both for the King's, and the Nation's ſake, to warn his Majeſty of the danger, and to deſire that they may be remov'd from his Preſence and Councils.

Among other Grievances that fell under the Conſideration of the Parliament, came the Pyracies of Captain *Kidd*; the Reports of which had for ſome time before alarm'd the whole Nation. It appear'd ſtrange to every Body, that *Kidd* ſhould have ſo much influence upon ſo many Perſons then at the Helm, as that the King's Ship, and Commiſſion, ſhou'd be granted to an Old *Buccaneer*, for Ends and Purpoſes ſo like his former Trade, that it was not improbable for him, as nice a *Caſuiſt* as he was, to make many occaſional Miſtakes and Tranſitions, from his

his New Commſſiion to his Old Practice. Another thing remarkable, and which was taken very great notice of in the *Houſe*, was the Addreſs of Captain *Kidd* in the choice of thoſe to whom he offer'd Shares of his Purchaſes; for it ſeem'd as if he had precluded all means of Complaint againſt him. But, perhaps the Captain did not know that it has never been the Practice of any of our Offices, to ſtifle any Complaint, or Brow-beat any Complainants that came before 'em, even tho' againſt themſelves, or their Intereſts. For if any Perſons made Complaint in *New-England*, where *Kidd*'s Prizes were to be carry'd in, the Lord *B*---- was Governour, who be ſure wou'd not be partial in his own Caſe, that wou'd reflect too much upon his Honour as a Sharer. If to the Admiralty in *England*, there the Lord ---- was firſt Lord Commiſſioner, and ready to do him the ſame Juſtice, with the ſame Reaſon. If he had recourſe to Chancery, there was my Lord ------, who had equal Obligation upon him to favour his Cauſe. If to the Secretaries Office, the ———— was there, whoſe Quality and Intereſt in this particular Matter, enabl'd, and diſpos'd him, not to be behind-hand with any of the reſt, on ſuch a good occaſion. And if the Party agriev'd, had apply'd himſelf

himſelf to the Council-Board, there almoſt all theſe Noble Perſons were ready to back and Countenance his Complaint, and to give him all Protection and Aſſiſtance. But as Unlucky Men generally apply wrong, ſo it far'd with the Complainants againſt *Kidd.* The *Houſe of Commons* were no Sharers, and therefore cou'd make no Reſtitution of what they never receiv'd, or were to receive. They were not yet let deep enough into the Secret, to know the true bottom, and the Solicitor of the Admiralty Mr. *W*------, by letting *Henry Bolton* go without ſufficient Bail, had taken care to let 'em know as little as he could of it. However the Condeſcention of ſo many Noble Perſons to Share with a Man of Captain *Kidd*'s Character, and their private manner of Articling with him, the Conduct of *Kidd* in the choice of Perſons of the greateſt Dignity and Power about the Court, and of the ſureſt Influence in the ſeveral Offices, and Ports that he might have Buſineſs in, the Manning of *Kidd* out of ſome of the King's Ships, all argue a Vigilant Care of the Publick, not only in our then Miniſtry, but even in the Captain himſelf, which cou'd carry him ſo far as the *Indies* purely to ſuppreſs Piracy. For tho' the Captain merely through Humane Infirmity,

mity, ſhould be tempted afreſh to commit Sin, the Sweetneſs whereof he had formerly taſted, contrary to the Purity of his preſent Intentions: Yet how ſhou'd any of the Noble Perſons who imploy'd him, imagine that he ſhou'd prove ſo frail? How could they divine, that after they had Condeſcended to Treat, and League with him in ſo cloſe a manner, that he wou'd betray his Truſt, and act any thing afterwards that was Criminal, which might reflect upon their Honours? Cou'd they ſuſpect, that contenting themſelves with the firſt Hundred Thouſand Pounds he ſhou'd take, a Man that was to have the Ships and all Prizes to himſelf afterwards, ſhou'd prove ſuch a Villain, as to take any thing that he had not Inſtructions for? Muſt not he needs apprehend that their Treating and Contracting with him in ſo Covert a way, was only that he might not uſe their great Names to juſtifie or excuſe any illegal act he might commit? Theſe things have occaſioned many and various Speculations, and Reflections, according to the different Views and Reliſhes Men had of 'em.

The *Houſe of Commons* were offended at the Negligence of Mr. *W*——, Solicitor to the Admiralty, in taking inſufficient Bail for *Henry Bolton*, Captain *Kidd*'s

Kidd's immediate Agent and Inſtrument. It gave 'em great diſſatisfaction to ſee that the King's Authority, Ships, Subjects, and Stores, were employ'd to the Scandal, and Diſhonour of the Nation. They were concern'd to ſee ſo many great Officers Clubb to ſo low a thing; and cou'd not doubt, but that they had farther Inducements than they were willing to make known. However the *Houſe of Commons* found that both Men, and Stores were taken from aboard His Majeſty's other Ships, to furniſh Captain *Kidd* to proceed on his laudable Voyage. Had there been nothing Clandeſtine in the Proceedings with Captain *Kidd*; had no great Men contracted for any advantage to themſelves; had his Inſtructions and Commiſſion been ſuch as became the Commander of a King's Ship, and the Advantages propos'd to him, no more than were neceſſary to encourage an Honeſt Brave Man; Captain *Kidd*, perhaps, had lain under leſs Temptation of playing the Pyrate, tho' it muſt be confeſs'd, that the taking of Pyrates, whether *Buccaneers*, or others, is but dry Buſineſs, unleſs they catch 'em by extraordinary good Fortune, with a Prize freſh in their Mouths. For tho' thoſe Fellows will venture and indure much when their Pockets are empty, yet

the first good Booty puts 'em into the next safe Harbour, till they are in the same Condition they went out in before; that is, that they have neither Money nor Credit: It is not therefore convenient that Men of that sort should have a glimpse of Protection from hence; and our Parliament cou'd not be too careful to enquire to the bottom of Villanies, which reflected so much upon the Honour of the Nation, and were like to have cut off from us one great Branch of our Trade, by the Offence given to the *Mogul*, and *Persian*. However, *Kidd* has given Satisfaction in his own Person, and the *House of Commons* have made it appear, That it is not their fault if the rest of the Matter was no further enquir'd into.

The great Mismanagements, and Misapplications of the Publick Money, which have for several Years been observ'd, have produc'd successively several Annual Commissions by Act of Parliament, for *Taking, Examining, and Stating the Publick Accounts of the Kingdom*, &c. What was the success of these Commissions, it is not much to our present Purpose to examine, because none of 'em had being by the Authority of that Parliament whereof we treat. But since it has been publickly objected, That by these Commissions

little

little was done towards the adjuſting the Accounts of the Nation; and Inferences have been thence drawn by many, that ſuch Commiſſions are of little or no uſe, it is certainly the Duty of our Repreſentatives, to make it their earneſt endeavour to find out proper Methods to make ſuch a Commiſſion uſeful. It will ſcarce be pretended by any Man, That ſuch an adjuſtment of Accounts is in its own Nature impracticable. If then the former Commiſſions had not altogether the deſired Succeſs, the fault muſt lie either in the Scheme laid down, as probable it might be for the firſt Year or two, when the Field of Buſineſs was vaſtly wide, and requir'd a long acquaintance to diſpoſe things into a proper Method of Adjuſtment; Or in the Commiſſioners themſelves, if they wanted either Skill, Application, or Integrity ſufficient for the Buſineſs they were employ'd about. Now all theſe Wants have been charg'd upon ſome of 'em, but whether with any Juſtice, or not, is a point I am not yet ſatisfy'd in: But there were two other Impediments, of which I think I may ſpeak with more certainty, either of which was enough to hinder the execution of that Commiſſion with any tolerable eaſe or exactneſs.

The firſt of theſe was, that divers great

Men, who had mighty Accounts to paſs before theſe Commiſſioners, and perhaps very little Stomach to do it, had for ſeveral Years ſucceſſive of theſe Commiſſions, ſuch a Power and Influence in the Houſe of Commons, as they were able to cramp the Commiſſioners in their Powers, to diſcountenance 'em in their Reports, and even to Banter 'em in the execution of their Truſt. How openly this was practis'd, is notorious to all that were then Members of the Houſe; and how much Men muſt needs be diſcourag'd in the execution of ſo difficult a Task, the performance of which was to be laid before Judges ſo poſſeſs'd, I leave any one to gueſs. The influence of theſe Men, perhaps produc'd another difficulty, which was a flaw in the Commiſſion it ſelf: The Commiſſioners were not impower'd ſufficiently to enquire proof of ſuſpected Vouchers, they cou'd not Commit for Contempt of their Authority, and conſequently were expos'd to the hazard of being abus'd by falſe Vouchers, I might ſay the certainty, for I want not ſufficient Proof of ſuch things in ſome Offices. Theſe were difficulties, almoſt if not abſolutely inſuperable. And therefore the end of the Commiſſion might eaſily be fruſtrated in great meaſure, although the Commiſſioners did

acquit

acquit themſelves of their Truſt, like Men of Ability and Integrity, as moſt of 'em were well known to be.

However, the laſt Parliament had taken care to remove moſt of theſe Obſtructions, by providing a Bill with larger Powers, appointing Commiſſioners of known Worth and Integrity, who were willing to have taken that trouble upon 'em, without Recompence to themſelves, or Charge to the Nation, and having a *Houſe* diſpos'd to hear, and enquire ſtrictly into theſe Matters, there was great reaſon to expect a good iſſue. But perhaps that very expectation was what defeated the Bill. Some of thoſe very Perſons who had heretofore born ſuch a ſway in the *Houſe* of *Commons*, are now grown powerful in another place, and Accounts were ſtill as terrible as ever. It was not therefore their Intereſt to ſuffer ſuch a Bill to paſs, for the three very Reaſons before mention'd.

Firſt, Becauſe a Commiſſion with ſuch Powers was as hard to be reſiſted, as on the other ſide ſome Mens Accounts were to be made up; and conſequently ſuch an Inquiry as the Commiſſioners were thereby impower'd to make, might have ruin'd the Credit, and perhaps the Fortunes of ſome great Men.

Secondly, The ſame Perſons knew that

there was no Bantering the Commiſſioners nam'd in that Bill. They knew 'em to be Men of Senſe, Honour, and Courage, that knew and dar'd to execute their Commiſſion, and as they were Volunteers in that Service, had given Earneſt of their Reſolution to unriddle that Myſtery which divers good Men had before loſt their labour in, and thereby perhaps might have made Diſcoveries at that time very unſeaſonable to ſome great Men.

And Laſtly, The Diſpoſition of the *Houſe of Commons* it ſelf, who were reſolv'd as faſt as poſſible, to extricate this Nation from that Labyrinth of Debts, Intereſt, Deficiences, and other Incumbrances, wherein it is at preſent in a manner loſt, was a Terrour to thoſe who knew by what Steps and Artifices ſhe was led into, and left in it. It was not ſafe for them either to let the Bill paſs, or to have it rejected in groſs, and therefore ſuch Expedients were to be found out, as might Embroil the two *Houſes* about it; a Practice in which they had not long before ſhewn a great deal of Maſtery. They knew that the Commons having the ſole Right of granting Money, had of conſequence alſo, that of taking an Account of the Diſpoſition of all Money by them granted, and of appointing Commiſſioners

for

for that purpoſe. This was laid hold on, as a proper handle to introduce thoſe Amendments, which they knew the Commons cou'd not agree to, without departing from thoſe Rights which they were ſure they wou'd never relinquiſh. Divers Amendments therefore were made, not perhaps ſo much to alter the Bill, as to lay upon the Commons a neceſſity of throwing it out, thereby hoping to ſhift the Odium of ſuch an Action from their own door. But the Commons, who were aware of this drift, and ſaw the Concluſion of the Seſſion ſo near at hand, appointed a Committee to draw up their Reaſons, why they cou'd not agree to the Amendments made by the Lords, and afterwards Order'd 'em to be Printed for the ſatisfaction of the People. To theſe Reaſons I cou'd never hear, or ſee, a fair and Candid Anſwer, though I have ſeen much Print, and heard much Clamour againſt 'em; and therefore I ſhall give 'em in the Words of the *Houſe*, as they ſtand in the *Votes* of *Tueſday* the 24th of *March*, 1701.

The *Commons* do diſagree to the firſt Amendment made by the *Lords*.

Becauſe it is Notorious, that many Millions of Money have been given to His Majeſty

by the Commons, *for the Service of the Publick, which remain yet unaccounted for, to the great diſſatisfaction of the good People of* England, *who chearfully contributed to thoſe Supplies; And their Lordſhips firſt Amendment prevents any Accounts being taken of thoſe Monies by the Commiſſioners appointed by the Commons for that Purpoſe.*

The *Commons* do diſagree to the ſecond Amendment made by the *Lords*.

Becauſe John Parkhurſt, *and* John Paſcal *Eſquires, have for ſeveral Years been Commiſſioners of the Prizes taken during the late War, and are Accountable for great Sums of Money ariſing thereby, which ought to be applied to the Uſe of the Publick. That the ſaid* John Pakhurſt, *and* John Paſcal, *were frequently preſſed to Account for the ſame, by the late Commiſſioners appointed by Act of Parliament; but by many Artifices and Evaſions delay'd and avoided giving any ſuch Account as was requir'd by the ſaid Commiſſioners. That the Clauſe, to which their Lordſhips have diſagreed by their ſecond Amendment, requires them to Account before the firſt of* September *next; but by their Lordſhips Amendment, the ſaid* John Parkhurſt *and* John Paſcal, *are exempted from giving any ſuch Account, which is highly unreaſonable.*

The

The *Commons* do diſagree to the third Amendment.

The Commons *cannot agree to the Clauſe ſent down by the Lords, marked with an* X, *becauſe their Lordſhips have therein directed the Commiſſioners to Allow and Certifie a pretended Debt to Colonel* Baldwin Leighton; *whereas the Diſpoſition, as well as granting of Money by Act of Parliament, hath ever been in the* Houſe *of* Commons; *and this Amendment relating to the diſpoſal of Money, does intrench upon that Right.*

The *Commons* do diſagree to the fourth Amendment.

Becauſe it is Notorious that Edward Whitacre *mention'd in* ——, *left out by their Lordſhips, hath by Colour of his Employment (as Solicitor to the Admiralty) receiv'd the Sum of Five and Twenty thouſand Pound and upwards, of Publick Monies, without producing any juſt or reaſonoble Vouchers for the Expence thereof; and therefore ought to be accountable for the ſame.*

And that by reaſon of their Lordſhips diſagreeing to the ſeveral parts of this Bill, the Supplies provided by the Commons *for paying the Arrears due to the Army, muſt of neceſſity be ineffectual 'till another Seſſion of Parliament.*

Theſe Reaſons were Order'd to be inſerted in the *Votes* of the Day; and tho'

I have ſeen many attempts to Anſwer 'em, yet I cou'd never meet with one that bore the Face of a good, much leſs of a true Reaſon, for the Occaſion of 'em, unleſs thoſe which I have already given may be of the latter ſort, as many Wiſer Men than my ſelf ſuſpect they are. But till ſome Body ſhall produce others more juſtifiable, and more probable, the Commons will ſtand clear of all imputation for the Miſcarriage of that Bill, and the evil Conſequences of it.

But while the Commons were thus employ'd in Reforming Abuſes, and Redreſſing Grievances without Doors, they were not negligent of any thing that might carry the appearance of it within. The Exemption of their Perſons, Eſtates, and Servants from Arreſts, Executions, and Sutes, was a Privilege that had belong'd to 'em above a hundred Years indiſputably; but it having been the Misfortunes of our Times, to ſee Men crowd by Indirect Means into the *Houſe*, to protect themſelves from the Payment of juſt Debts, and there to make Sale of other Mens Properties, to Redeem their own Fortunes; the *Houſe* at once to purge themſelves of thoſe ſort of Men for the future, and to do Juſtice, and Redreſs the Grievances of the People without Doors,

Doors, took off that Privilege, and gave leave to Creditors to proceed at Law for the Recovery of their juſt Debts, ſo far as was conſiſtent with the Buſineſs of the Nation. It was not reaſonable while the great Affairs of the Kingdom requir'd the care of every Member, that any of 'em ſhou'd by Arreſt or Impriſonment be detain'd from giving his Perſonal Attendance on that Duty, for which he was by his Country ſent up. But Eſtates had no *Votes*, and therefore every Creditor was left at his liberty to make his way by Law into them, for his Satisfaction; and a Bill was on purpoſe drawn up, and paſſed by this Parliament to Authorize and Enable 'em ſo to do. This was an Honour reſerv'd to this Parliament, and plainly ſhews, that it conſiſted of Men of Worth and Honour, who came not thither for Protection, and wanted not to be reliev'd from their Creditors. This Bill had been attempted in many Parliaments before, but cou'd never be brought to bear 'till now. Whether it were that ſome great Officers, who perhaps needed not ſuch a Protection themſelves, brought in ſo many of their Dependants that did, who had it not been for this Privilege, wou'd not have been at the Expence of ſitting there, or that others of Incumber'd

Fortunes

Fortunes, ſtrove to get in there as a Place of free Breathing, or perhaps by good Management of licking themſelves whole, I will not determine. But ſince by the Induſtry of the Country Gentlemen, ſo many of theſe have not been able to make their way in St. *Stephen*'s *Chappel*, this Bill has paſs'd, which had before been long and often labour'd for in vain.

It were impertinent to pretend to enlarge upon the Advantages and Uſefulneſs of this Bill, to all ſorts of Trading and Truſting Men, Widows, Orphans, and innumerable others; the Cities of *London* and *Weſtminſter* reap the Benefit of it above all others; but whether they have been ſo grateful to that Parliament as an act of ſuch Generoſity requir'd, I muſt leave undetermin'd.

I might inſtance in many more excellent Acts of that Parliament, but to avoid being too tedious, I ſhall wave 'em here, and reſerve 'em for a further occaſion, if at any time ſuch Inſtances ſhall particularly be call'd for.

The Reader will I hope give me leave to lay before him ſome of the many Benefits he receives by the ſeveral good Acts of the laſt Parliament, which I have already taken Notice of.

By the Act for a further Limitation of the

the Crown, our Crown is ſecur'd for ever to the Proteſtant Religion, as here now Eſtabliſh'd by Law in the Church of *England.*

This may perhaps diſpleaſe the Diſſenters, and their Favourers, who affect the name of Moderate Men, and ſay, That the difference between us, is only about a few Ceremonies, which ariſes from the Paſſion of a Party. But not to enter *Mal a propos* into that Controverſie, let 'em be pleas'd to Conſider that if they are of any Family or Ancient Eſtate, they ſhall find themſelves more endamag'd by this pretended little difference, than their Anceſtors were by all the diſputes for the Crown, and all the *Barons* Wars ſince the Conqueſt. There are ſtill too manifeſt Proofs of this, by the deſtruction of more Ancient Seats, and Magnificent Fabricks in the ſpace of 20 Years betwixt 1640. and 1660, than in ſome hundreds of Years before, ſo that we want a New *Cambden* to tell us where our Anceſtors dwelt, and that ſuch Places were once Inhabited.

They are by the ſame Act ſecur'd of the Preſence of their Prince amongſt 'em, unleſs ſuch extraordinary occaſions ſhall call him abroad, as ſhall make the Nation it ſelf think neceſſary for a time to be depriv'd of [illegible] Bleſſing.

We ſhall hereafter be protected from the Danger

Danger of ſuch Pernicious Councils, as we have lately experienc'd; when every Man by ſigning the Advice he gives with his own hand, ſhall not be able to evade a juſt Charge againſt him, if he adviſes amiſs.

We ſhall not be in danger of being made a Prey to, or betray'd by Strangers, when they ſhall be excluded from our Councils and Truſt for ever, as is by this Act provided.

The Native Subjects of *England* may expect Encouragement and Reward for their Fidelity and Services, when no Foreign Favourites ſhall be capable of diſappointing 'em.

We may expect that juſt care may be taken of the Nation, and that the Proceedings in Parliament will be impartial when no body that ſhall ſit there, ſhall be Biaſs'd by Penſion or Place, and ſhall have neither Hope nor Fear to encline him contrary to his Conſcience.

We may expect Incorrupt Judgments in the Inferiour Courts, when thoſe that ſit on the Bench ſhall not be Aw'd or Influenc'd from above, and have no fear of loſing their Places or Salaries by a diſpleaſing Opinion, and Men will hereafter have better Security for their Lives and Eſtates, than heretofore they have had.

Great Men will hereafter be more cau-

tious

tious of offending when they ſhall have leſs hopes of Impunity, and there ſhall be no pleading of Pardons to Impeachments.

Theſe Advantages are not the leſs to be eſteem'd, becauſe compris'd all in one Act, every Article had been meritorous, tho' the Buſineſs of a whole Seſſion; but it ſhews the Wiſdom and Dexterity of that Parliament, who cou'd gain ſo many Points in ſo ſmall a time, and couch 'em in ſo little room; Points almoſt all of 'em that have been heretofore diſputed, and ſome of 'em very lately rejected.

Another Point, no leſs conſiderable than any of 'em, was got by a prudent Heſitation; they prevented our being precipitated into a War, before we knew upon what terms, with our Confederates, we were to enter into it, and how able we ſhould be to ſupport it; and this when the Nation was in ſuch an unſeaſonable ferment and heat for War, as would perhaps have hurry'd any other Parliament beyond the Bounds of Diſcretion.

Another thing we are oblig'd to 'em for, is the extraordinary Courage they have ſhewn in calling to account great Men, for Offences againſt the Publick, and maintaining the Rights of the *Commons* of *England*, and Slighting and Correcting the Tumults and Diſorders of many Evil diſpos'd Seditious Perſons without Doors. If

If this be not enough to Convince all Men, that it was an Honeſt True *Engliſh* Parliament, let thoſe that have a juſt deference for the King's Opinion, read his Senſe of it in the following Words of His Speech to 'em, at the Conluſion of the Seſſion.

My Lords and Gentlemen,

THE Seſſion being now come to a Concluſion, I muſt Return you my hearty Thanks for the great Zeal you have Expreſſed for the Publick Service, and your ready Compliance with thoſe Things which I Recommended to you at the Opening of this Parliament: And I muſt thank you, Gntlemen of the Houſe of Commons, *in Particular, both for your Diſpatch of thoſe Neceſſary Supplies which you have Granted for the Publick Occaſions, and for the Encouragements you have given Me to Enter into Alliances for the Preſervation of the Liberty of* Europe, *and the Support of the Confederacy, in which as it ſhall be My Care, not to put the Nation to any Unneceſſary Expence, ſo I make no doubt, that whatſoever ſhall be done, during your Receſs, for the Advantage of the Common Cauſe, in this Matter, will have your Approbation at Our Meeting again in the Winter.*

My Lords and Gentlemen,

I ſhall Conclude with Recommending to you all, the Diſcharge of your Duties in your reſpective Countries, that the Peace of the Kingdom may be Secured by your Vigilance, and Care in your ſeveral Stations.

A Short

A SHORT
DEFENCE
Of the Laſt
PARLIAMENT, &c.

THE *People of* England *ought to have a due Reverence and Affection for their Repreſentatives in Parliament, and to maintain their Honour, even when in diſtemper'd Times it might happen, they ſhould act ſomething againſt the Publick Good, not only becauſe they are a part of our Conſtitution, but likewiſe that particular Part which the People have entruſted to look after and manage their Intereſt: For ſhould the People deſert their Repreſentatives, they would be* Felo de ſe, *and one day run a hazard of loſing that part of their Conſtitution.*

Short Hiſtory of the laſt Parliament. Printed for *Jacob Tonſon*, &c. 1699.

THis being the Teſtimony of an Adverſary is therefore of the greater force. That Book was written to flatter

the Ambition, and ſerve the Intereſts of one great Courtier (perhaps by himſelf) who then thought it as much for his Turn to exalt and magnify the Honour and Power of a Houſe of Commons, as he has done ſince to depreſs and decry it. But however it happens, that a Truth which was then thought for his purpoſe, ſhould be found ſo oppoſite to the Practices of himſelf and his Creatures ſince, it will remain an everlaſting Teſtimony againſt them, that they know their Duty better then they Practice it.

No Oracle could have pronounced a Truth more momentous to *England*, eſpecially at this Juncture, when there are ſo many Incendaries at work to divide the People, and to inſpire 'em with a mad Reſolution to lift up their Hands againſt their own Brains, and not only to queſtion their Power, but inſolently to threaten their Repreſentatives, an unpreſidented piece of ſawcy Madneſs; which if not duly adverted upon, may prove in time of fatal Conſequence to our Conſtitution.

Wonderful is the Power of Truth, that could ſurpriſe a Perſon, that was employing ſo much Art to abuſe all the World but one Man, and his Dependants, into a Confeſſion, which ſhould ſo ſoon

ſtare

ſtare him in the Face, and convict him of want of Principles. However let us forgive *Saul*, ſince he has been once found among the Prophets.

When the People of *England* ſhall forget the Reverence due to their Repreſentatives, they will at the ſame time make an unlucky ſtep towards their own Ruins, and ſet their Repreſentatives an ill Precedent to forget their care of them in requital. It is to be hop'd, that neither one will give, nor t'other take any ſuch unhappy Offence; tho' the uſage the laſt *Houſe of Commons* met with from ſome People, has given many honeſt Perſons occaſion to think, that we are not ſo univerſally right in our Heads, as not to have occaſion for an Act of Parliament to plant *Helleber* for the uſe of the People. I dare Propheſie however, that their fears will prove groundleſs, and that the Men that have made all this uproar and bawling, are only a few whoſe Guilt creates their Fear, and a ſet of mercinary Fellows that like *Indian* Mourners are hired to whip and ſlaſh themſelves, and lay about 'em in proportion to the Wages they expect.

The Topicks they have choſen to traduce the laſt *Houſe* of *Commons* upon are theſe.

That they have been dilatory and backward in the Service of the Nation.

That they have proſecuted private Animoſities to the detriment of the Publick.

That they have uſurp'd an Arbitrary and Tyrannical Power over the Liberties of the People.

That they did not immediately upon their firſt coming together Vote a Declaration of War againſt *France* and *Spain*, has been made the great Argument of their Indifference to the preſent Government, and their Inclinations towards a Change. But this is a Slander as weak as malicious; for no ſooner were they met, but they gave his Majeſty an aſſurance, that they would ſtand by, and ſupport him and his Government, and take effectual care of the Intereſt and Safety of *England*, the *Proteſtant Religion*, and the *Peace* of *Europe*. This was carried by the whole Houſe, and his Majeſty after thanks given, having deſired their Advice on a Memorial from the *States General*; which produc'd the next Day an Addreſs for a ſight of the Treaty between *England* and the *States General*, concluded the third of *March* 1677. and the ſight of that, another the very next Day, which was unanimouſly voted, and preſented by the whole Houſe, to refer to

his

his Majeſties Wiſdom and Conduct the making of Leagues and Treaties with the *States General*, and other ſuch Potentates as he ſhould think fit. Which Confidence and Heartineſs to him, the King thank'd them for, and accepted as heartily. All this paſſed within a Week of the King's firſt Speech, and ſuch Unanimity and Diſpatch was never known in any Parliament before, upon Matters of ſo great Conſequence. Where then lies this Criminal Delay and Backwardneſs?

The Party that bellow this up and down, pretend a great Veneration for the Wiſdom of the King, and a meritorious Affection for his Perſon and Government; yet none of thoſe whom they labour to aſperſe with Diſaffection, wou'd have caſt ſuch an odious Reflection upon him, as they have herein done. For they neceſſarily tax him either with want of Diſcernment, or Sincerity; ſince there never were ſtronger or frequenter Aſſurances given, of the mutual Confidence between a King, and his Parliament, or a more ſatisfied and thankful Farewel Speech, than thoſe of the laſt Seſſions, what then do they mean, when they tell us the King was diſſatisfy'd, or had reaſon to be ſo? He tells us the contrary of both, and perſeveres in the ſame mind

in his laſt Speech. Do theſe Perſons queſtion his Veracity, or his Judgment? One they muſt. What ſort of Affection is it, that theſe People bear to the King, that will not allow him either to be Wiſe or Juſt, any longer than they and their Party have the ſole Adminiſtration of Affairs under him?

Yet this is the Treatment the King receives from 'em. The King, they ſay, was perſuaded to diſſemble with the Houſe of Commons, which is ſuch a Blot upon his Honour and Courage, as none but that Party ever had the Villany to lay. There is no doubt but the King has been often ill advis'd, for which perhaps, ſome of 'em are ſtill accountable; but that he cou'd ever be prevail'd with to act an inſincere Part with his People, is ſuch an Imputation as none but thoſe that have thriven by Scandal and Faction only, durſt have laid upon him.

But to return to the Objection againſt the Houſe of Commons. They did not forthwith Vote a Declaration of War againſt *France* and *Spain*, No! They had more regard to the Prerogative, and to the particular Ability of the King in theſe matters, than to interpoſe any more than their hearty Aſſurance of their Support and Aſſiſtance towards what he ſhould judge

judge requiſite. But then thoſe, that judge ſo early a Declaration of War neceſſary, arraign the King, not the Parliament, of Delay.

Yet were it (to ſatisfie theſe unreaſonable Men) granted, that it lay in the Breaſts of the Commons only to reſolve how far a War ſhou'd be expedited or delay'd, the Commons are ſtill Juſtifiable for that delay, tho' not accountable.

When the Parliament came together, all our Allies were under the greateſt Conſternation imaginable, none of 'em able or willing to declare againſt *France*, except the Emperour, who without the reſt, cou'd not ſignifie any thing to us, having neither Sea-port nor Ship, nor any means of lending Succours to one another. The laſt War had left us low in Purſe, Credit, and Invention, weary of Taxes, laded with Projects, our Funds anticipated with a Debt of 18000000 at high Intereſt. Theſe things were a good Reaſon why our Repreſentatives ſhould not precipitate the Nation into a War, before they had bethought themſelves of ſome method to bear the Expence of it.

The publick Treaſures were become ſuch arrant Plunder, that thoſe who had the Fingering of it in every Office, were

ſo buſy in filling their own Pockets, that moſt of 'em were regardleſs of publick Notice, or Scandal, They depended upon mutual Conſciouſneſs, and Connivance, and defied all farther purſuit. Theſe publick Depredations had long provok'd the People, who were exceſſively offended to ſee ſo many worthleſs Fellows, grow Rich out of the Spoils of the Publick. And therefore the Commons had reaſon if they meant to ſatisfie their Principals, to enquire how their laſt Gifts had been husbanded, before they gave any more; and to call the unjuſt Stewards to Account.

But Domeſtick Miſmanagements apart, we muſt however have been the moſt raſh, imprudent People in the World, had we then declar'd War. We had no other juſtificable Reaſon than ſelf Security, which cou'd not be endanger'd, but thro' our Neighbours the *Dutch*, who did not then think themſelves in ſuch a Condition as to declare War. They had in a manner compounded for Peace, by owning the Duke of *Anjou* to be King of *Spain*. Now if we by an over forward Zeal, had declar'd War firſt, we had by ſo doing, made our ſelves *Principals* inſtead of *Second*.

The Difference we have been lately taught

taught, when becauſe the War was our War, we were forc'd to maintain the greateſt Part of our Allies, is a ſufficient Leſſon: And till we happen to have as good a Reaſon for 'em, I hope we ſhall not fall into the ſame Meaſures again.

Had we ſo unadviſedly enter'd into a War which were not ſingly able to maintain, we muſt either have retreated ignominiouſly, or have reſolv'd to pay for all the Advantages, that our Confederates ſhou'd hope to reap from a War, upon the ſame Terms that we did laſt time, that is, to have the Honour of Treating generouſly without Deſign.

Had we been raſhly engag'd before the *Dutch*. We may aſſure our ſelves that no Conditions wou'd have been wanting from *France* to lure 'em off from us, whether to their own ſide, or a Neutrality only. And therefore whoever they were, that made that halt in the matter of a Declaration of War, they ſhew'd a great deal of Temper and Prudence, for tho' 'tis probable the States wou'd upon no Terms have been tempted to deſert us, yet we could not have avoided the reproach of being the moſt Stupid People in the World, for truſting our Security in any other Hands than our own, while we are able to provide for it our ſelves; and to put the Pro-

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bity of our Friends to ſo ſevere a Teſt as to try whether they wou'd ſell us or not.

But the King's owning the Duke of *Anjou* to be King of *Spain*, puts an end to this Argument; for that the Parliament had no Hand in, and yet it ſhews, that the King (who underſtood matters better) was not ſo impatient for War, as ſome of his pretended Friends.

I think I have ſhewn, that this delay of a War is no prejudice to *England*, and that if it were, that it is not chargeable upon the Parliament; whereby the firſt and moſt artificial Calumny is avoided.

The next Article, which charges 'em with private Animoſities and Partialities, is in great meaſure anſwer'd in the foregoing.

That there were great Miſmanagements of the Publick Revenues, was certain, and the People were for ſome Years extremely diſcontented at 'em. They continually reproach'd their Parliaments with Negligence in that Point. Some honeſt Men in the Houſe of Commons, conſtantly endeavoured a Regulation of theſe Abuſes, but to no purpoſe, while ſome where dextrous enough to defray their own Partiſans out of their Pockets.

If they have ſince call'd any of 'em to Account, it is unjuſt to interpret it Spleen,

or private Grudge, unleſs it can be made appear, that the Publick had no Reaſon to be diſſatisfied with their Conduct.

The *Romans* by their exact Diſtribution of Reward and Puniſhment, made themſelves the greateſt People in the Univerſe. No Man wanted the Reward of Service, or of Diſſervice. There was no ballancing of Accounts in reſpect to the State. He that did well was rewarded, he that did otherwiſe was puniſh'd without reſpect to paſt Merits, which were ſuppos'd to have been recompenc'd before.

In this they were ſo ſtrict, that even *Camillus* himſelf, (the beſt and greateſt Man that ever they bred) cou'd not eſcape Juſtice He was *Dictator*, had obtain'd by his own ſingle Conduct, a great Viry, and had taken a vaſt Booty. This, according to their Law, ſhou'd have been diſtributed among the Soldiers: But *Camillus*, who knew that the publick Treaſury was indigent, by virtue of his Command, ſold it all, and put it into the *Treaſury*. His Army did not mutiny, but the ſame Men, as ſoon as they came home, were Citizens, and then they impeach'd him. And he notwithſtanding his great Merits, (and ſaving not a Farthing to himſelf) was forc'd to fly his Country, to ſave his Head.

This

This Severity of the *Romans* was ſo far from being (what ſome People call it) Ingratitude, that it was the Preſervation of their State. They allow'd no Man upon what pretence ſoever, to act contrary to their Laws, or diſpence with the Rights of the People.

Let thoſe, that have rais'd ſuch a Flame among us of late, make out either ſo much Merit, or ſo much Innocence as *Camillus*, and I will be content to Vote 'em Statues at the publick Charge, with an Inſcription to teſtifie that they deſerve the Eſtates, which I think yet ill gotten. Let thoſe that by ſham Purchaſes, and Begging have got the publick Lands into their own Hands, plead the Vertue of *Camillus* in their own Juſtification, and they ſhall (which is a thing not uſual here in *England*) be Cannoniz'd for their Miniſtry.

As for that Arbitrary and Tyrannical Power which the Commons in the laſt Parliament were ſaid to have exercis'd, he that urges that againſt 'em, if a Commoner, makes a felonious attempt upon himſelf, for he endeavours to cut the Throat of his own Right, which he can only exerciſe by his Repreſentatives in Parliament.

But for the ſatisfaction of thoſe who have no intereſt in the Rights of the Commons,

Commons, as being of another Order, or having ſold their own Propriety; I ſhall take the Liberty to inform 'em, that all Original Right of Judicature is undoubtedly in the whole People, cou'd they be aſſembled to give their Judgment, I mean, in what relates to the whole People. That the Repreſentatives are intruſted with their Power no body queſtions, and conſequently may do any thing that is not an Infringment of the Rights of the two other Eſtates.

The extraordinary exerciſe of Power charg'd upon 'em is inſtanc'd in theſe particulars, That they have committed ſome Brib'd Electors, and their Corruptors, publick Officers that were not able or willing to give in juſt Accompts of what they were intruſted with, and ſaucy Petitioners who made it Matter of Merit to affront the Authority of the Houſe.

Let the People chuſe which of theſe ſhall be *Barabbas*; whomſoever of theſe they releaſe; they will ſet a publick Robber free. The corrupt Elector and the bribing Candidate, are a couple of Knaves that are Stock-jobbing the whole Nation. We may be aſſur'd that he that buys his Election, intends to be paid for his Voice. And the unthinking Elector may

may aſſure himſelf, that when he contracts for his Vote, he is making a Conveyance of his own, and other Mens Freehold. Liberty and Property.

The Publick Officer that refuſes, or is unable to Accompt, is a plunderer that has ſtoln more than he can tell how to excuſe.

And the ſaucy Petitioner is either the Fool or the Knave, that ſome cunninger Men than himſelf employ to bear the diſgrace, and in ſome meaſure the Puniſhment of their Iniquity.

If the publick Officer cheat only his Patron; if the Sellers of Votes diſpos'd of no Man's Liberty and Property but their own; if the ſaucy Petitioners went no farther then their own particular Repreſentatives, and meddled with no more than they underſtood there had been no occaſion for Commitment, and neither *Kent* nor *Legion* had been in an uproar, nor one deſerved the *Gate-houſe* as the other did *Tyburn*.

It is however to be hop'd, that our Electors will take more care that in the next Parliament we ſhall have no Buyers or Sellers, *Sh----ds*, *Coat----th*, &c. no Men that are uſed to Traffick for more then they are worth; none that countenance the affronting of Parliaments. All theſe will

will ſell us, and thoſe that favour them will be convinc'd unleſs they are of the ſame Principle.

It is to be hop'd that theſe Conſiderations will move the Electors to bethink themſelves whom to return for the next Parliament, and to exclude ſome begging People, that boaſt much of Services, by which they have got much from, and done nothing for the Publick but what they dare not own.

Our laſt Parliament have ſecur'd to us our Religion, our Liberties and Property. It is our buſineſs to take care that the next may not undo what they have done, and under pretence of Zeal for the Government, give up our Civil Rights, which ſome have lately attempted by voting for ſtanding Armies, *&c.*

One thing all Electors are deſired to take notice of, that they can't give their Vote for any Perſon that has a Place under, or Penſion from the Crown, without affronting the lateſt and beſt Act of Parliament that ever they had for their own Security. By the late Act for further Limitation of the Crown, and ſecuring the Rights and Liberties of the Subject it is provided.

That no Perſon who has an Office or Place of Profit under the King, or receives a Penſion from the Crown, ſhall be capable of ſerving,

ving as a Member of the Houſe of Commons.

What is the danger of a Mercenary Parliament, I ſuppoſe the People need not be told; and tho every Man who has a place is not therefore to be called Mercenary, he lies however under ſuch a Temptation as wou'd forbid a Wiſe-man to truſt him with his all. The Parliament has wiſely diſabled 'em, and ſo particularly, that no Clauſe in the Act is without its Reſtriction as to time, except this, and that of Impeachments, which ſufficiently ſhews when they intended it ſhould take place. If they will think of theſe few things, we may hope to ſee a wiſe and a couragious Parliament, and perhaps moſt of thoſe very Men who took ſuch care of us the laſt Seſſion, which ought to be the Prayer of all true Engliſh-men, and good Subjects.

FINIS.

FH
MVSEVM
BRITANNICVM